

Representative Hall, Atlanta, Georgia**Monday, March 20, 2006**

The House met pursuant to adjournment at 1:00 o'clock, P.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

Abdul-Salaam	Cummings	Horne	Martin	E Scheid
E Anderson	Davis	Houston	May	Scott, A
Ashe	Dickson	Howard, E	McCall	Scott, M
Barnard	Dodson	Hugley	Meadows	Setzler
Bearden	E Drenner	E Jackson	Mills	Shaw
E Beasley-Teague	E Dukes	Jacobs	Mitchell	Sheldon
Benton	Ehrhart	E James	Morris	Sims, F
Black	England	Jamieson	Mosley	E Sinkfield
E Borders	Everson	Jenkins	Mumford	Smith, L
Bridges	Fleming	Jennings	Murphy, J	Smith, P
Brooks	Floyd, J	Johnson	Murphy, Q	Smith, R
Brown	Forster	Jones, J	O'Neal	Smith, T
Bruce	Franklin	Jones, S	Orrock	Smith, V
Bryant	Freeman	Keown	Parham	Talton
Buckner, D	Geisinger	Kidd	Parrish	Teilhet
Buckner, G	E Graves, D	Knight	Parsons	Thomas, A.M
Burkhalter	Graves, T	Knox	Porter	Thomas, B
Burmeister	Greene	Lakly	Ralston	Tumlin
Byrd	Hanner	Lane, B	Randall	Warren
Carter	Hatfield	Lane, R	Ray	Watson
Casas	Heard, J	Lewis	Reece, B	Wilkinson
Chambers	Heard, K	Lindsey	Reece, S	Williams, A
Cheokas	E Heckstall	Lord	Reese	Williams, E
Cole	Hembree	Lucas	Roberts	Williams, R
Cooper	Hill, C.A	Maddox	Royal	Yates
Cox	Holmes	Manning	Rynders	Richardson,
Crawford	Holt	Marin		Speaker

The following members were off the floor of the House when the roll was called:

Representatives Amerson of the 9th, Barnes of the 78th, Benfield of the 85th, Bordeaux of the 162nd, Burns of the 157th, Butler of the 18th, Channell of the 116th, Coan of the 101st, Coleman of the 144th, Coleman of the 97th, Dean of the 59th, Dollar of the 45th, Fludd of the 66th, Gardner of the 57th, Golick of the 34th, Harbin of the 118th, Hill of the 21st, Hudson of the 124th, Jordan of the 77th, Loudermilk of the 14th, Lunsford of the 110th, Mangham of the 94th, Maxwell of the 17th, Millar of the 79th, Mosby of the 90th, Oliver of the 83rd, Powell of the 29th, Rice of the 51st, Rogers of the 26th, Sims of the 169th, Smith of the 113th, Stanley-Turner of the 53rd, Stephenson of the 92nd, Walker of the 107th, and Willard of the 49th.

They wish to be recorded as present.

Prayer was offered by Dr. Brad Hicks, Wynnbrook Baptist Church, Columbus, Georgia.

The members pledged allegiance to the flag.

Representative Heard of the 104th, Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

By unanimous consent, the following was established as the order of business during the first part of the period of unanimous consents:

1. Introduction of Bills and Resolutions.
2. First reading and reference of House Bills and Resolutions.
3. Second reading of Bills and Resolutions.
4. Reports of Standing Committees.
5. Third reading and passage of Local uncontested Bills.
6. First reading and reference of Senate Bills and Resolutions.

By unanimous consent, the following Bills and Resolutions of the House were introduced, read the first time and referred to the Committees:

HB 1635. By Representative Greene of the 149th:

A BILL to be entitled an Act to authorize the Magistrate Court of Early County to charge a technology fee for each civil case filed and criminal fine imposed; to specify the uses to which said technology fees may be put; to provide for review and reports; to provide for adjustment of such fee; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

- HB 1636. By Representatives Cooper of the 41st, Tumlin of the 38th, Parsons of the 42nd, Jones of the 44th, Wix of the 33rd and others:

A BILL to be entitled an Act to amend an Act consolidating the offices of tax collector and tax receiver into the office of tax commissioner of Cobb County, approved February 17, 1949 (Ga. L. 1949, p. 790), as amended, particularly by an Act approved May 6, 2005 (Ga. L. 2005, p. 3846), so as to change the compensation of certain employees of such office; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

- HR 1859. By Representatives Abdul-Salaam of the 74th, Brooks of the 63rd, Morgan of the 39th, Smyre of the 132nd, Stanley-Turner of the 53rd and others:

A RESOLUTION declaring Coretta Scott King Day in Georgia; and for other purposes.

Referred to the Committee on Special Rules.

- HR 1860. By Representatives Coleman of the 144th, Burkhalter of the 50th, Greene of the 149th, Parrish of the 156th, O'Neal of the 146th and others:

A RESOLUTION commending Taiwan on its contributions to the global economy, the promotion of world peace, freedom, and human rights and supporting its efforts to join the World Health Organization, the United Nations, and other international organizations as well as efforts to enter into a free trade agreement with the United States; and for other purposes.

Referred to the Committee on Special Rules.

- HR 1861. By Representatives Smith of the 113th, Crawford of the 127th, Smith of the 70th, Burkhalter of the 50th, Lewis of the 15th and others:

A RESOLUTION urging the Governor to continue his pursuit of the National Bio and Agro-Defense Facility for Georgia and expressing the House's support of his efforts; and for other purposes.

Referred to the Committee on Defense & Veterans Affairs.

- HR 1887. By Representatives Scheid of the 22nd, Brown of the 69th, Bruce of the 64th and O'Neal of the 146th:

A RESOLUTION creating the House Study Committee on Parental Involvement in Schools; and for other purposes.

Referred to the Committee on Children & Youth.

By unanimous consent, the following Bills and Resolutions of the House were read the second time:

HB 1627	HB 1632
HB 1628	HB 1633
HB 1629	HB 1634
HB 1630	HR 1833
HB 1631	HR 1856

Representative Knox of the 24th District, Chairman of the Committee on Insurance, submitted the following report:

Mr. Speaker:

Your Committee on Insurance has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 236	Do Pass, by Substitute	SB 385	Do Pass, by Substitute
SB 384	Do Pass	SB 531	Do Pass

Respectfully submitted,
/s/ Knox of the 24th
Chairman

Representative Chambers of the 81st District Chairman of the Committee on MARTOC, submitted the following report:

Mr. Speaker:

Your Committee on MARTOC has had under consideration the following Bill of the Senate and has instructed me to report the same back to the House with the following recommendation:

SB 114 Do Pass, by Substitute

Respectfully submitted,
/s/ Chambers of the 81st
Chairman

Representative Rice of the 51st District, Chairman of the Committee on Motor Vehicles, submitted the following report:

Mr. Speaker:

Your Committee on Motor Vehicles has had under consideration the following Bills of the Senate and has instructed me to report the same back to the House with the following recommendations:

SB 400	Do Pass, by Substitute	SB 619	Do Pass
SB 570	Do Pass	SB 637	Do Pass, by Substitute

Respectfully submitted,
/s/ Rice of the 51st
Chairman

Representative Ehrhart of the 36th District, Chairman of the Committee on Rules, submitted the following report:

Mr. Speaker:

Your Committee on Rules has had under consideration the following Bill of the Senate and has instructed me to report the same back to the House with the following recommendation:

SB 260 Do Pass

Respectfully submitted,
/s/ Ehrhart of the 36th
Chairman

The following Resolution of the House, referred to the House Rules Subcommittee on Invites, was reported by the Committee on Rules with the following recommendation:

HR 1394 Do Pass

Representative Smith of the 168th District, Chairman of the Committee on State Planning and Community Affairs, submitted the following report:

Mr. Speaker:

Your Committee on State Planning and Community Affairs - Local Legislation has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 1620 Do Pass
 HB 1621 Do Pass
 HB 1622 Do Pass

HB 1623 Do Pass
 HB 1624 Do Pass
 HB 1626 Do Pass

Respectfully submitted,
 /s/ Smith of the 168th
 Chairman

Representative Smith of the 129th District, Chairman of the Committee on Transportation, submitted the following report:

Mr. Speaker:

Your Committee on Transportation has had under consideration the following Bill and Resolutions of the House and Senate and has instructed me to report the same back to the House with the following recommendations:

HR 484 Do Pass
 HR 485 Do Pass
 HR 1662 Do Pass
 SB 285 Do Pass, by Substitute
 SR 126 Do Pass
 SR 433 Do Pass

SR 434 Do Pass
 SR 849 Do Pass, by Substitute
 SR 864 Do Pass
 SR 1093 Do Pass
 SR 1094 Do Pass

Respectfully submitted,
 /s/ Smith of the 129th
 Chairman

The following report of the Committee on Rules was read and adopted:

HOUSE RULES CALENDAR MONDAY, MARCH 20, 2006

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 34th Legislative Day as enumerated below:

DEBATE CALENDAR

Open Rule

SB 195 Georgia Museum Property Act; establish ownership loaned to museums/archives

SB 210	Public Service Commission; superior court filing; provide venue, judgement
SB 399	Municipal Corporation; special services district; within 3 miles of noncontiguous area treated as same noncontiguous area
SB 441	Milk; milk products; standards and requirements; change certain provisions
SB 592	Disposition of Surplus Property; sale of certain property by fixed price; change provisions
SR 823	Public Property; conveyance; 13 counties

Modified Open Rule

None

Modified Structured Rule

SB 79 Education; local boards; additional elective courses; provide state funding

Structured Rule

SB 25 Divorce; change time limit; effect on children; require education classes

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,
/s/ Ehrhart of the 36th
Chairman

By unanimous consent, the following Bills of the House were taken up for consideration and read the third time:

HB 1620. By Representatives Mangham of the 94th, Watson of the 91st, Stephenson of the 92nd, Mosby of the 90th, Orrock of the 58th and others:

A BILL to be entitled an Act to provide a new charter for the City of Lithonia in DeKalb County, Georgia; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for organization and procedures; to provide for ordinances and codes; to provide for the office of mayor and certain duties and powers relative thereto; to provide for administrative responsibilities; to

provide for boards, commissions, and authorities and other personnel; to provide for rules and regulations; to provide for a municipal court and the judge or judges thereof; to provide for practices and procedures; to provide for taxation and fees; to provide for severability; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1622. By Representative Burns of the 157th:

A BILL to be entitled an Act to amend an Act providing for the election of the members of the board of education of Screven County, approved April 1, 2002 (Ga. L. 2002, p. 3659), so as to so as to change certain provisions regarding the compensation of the members of such board; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1623. By Representative Mosley of the 178th:

A BILL to be entitled an Act to create a board of elections and registration for Brantley County and to provide for its powers and duties; to provide for definitions; to provide for the composition of the board and the selection and appointment of members; to provide for the qualification, terms, and removal of members; to provide for oaths and privileges; to provide for meetings, procedures, and vacancies; to relieve certain officers of powers and duties and to provide for the transfer of functions to the newly created board; to provide for certain expenditures of public funds; to provide for compensation of members of the board and personnel; to provide for related matters; to provide for submission for preclearance under Section 5 of the federal Voting Rights Act of 1965, as amended; to provide effective dates; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1624. By Representatives Scott of the 153rd and Roberts of the 154th:

A BILL to be entitled an Act to amend an Act creating and establishing the State Court of Tift County, approved March 30, 1971 (Ga. L. 1971, p. 2468), as amended, so as to prohibit the judge of such court from engaging in the

practice of law; to provide for the compensation of such judge; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

HB 1626. By Representatives Burns of the 157th and Carter of the 159th:

A BILL to be entitled an Act to annex certain territory into the City of Guyton and change the corporate limits of the city; to provide for related matters; to provide for a referendum; to provide for submission; to provide effective dates; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

By unanimous consent, the following roll call vote was made applicable to the previously read Bills.

On the passage of the Bills, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Sailor
Y Amerson	Y Cummings	Y Holmes	Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Day	Y Horne	Y McCall	Scott, M
Y Barnard	Y Dean	Y Houston	Y McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Y Sheldon
E Beasley-Teague	Dollar	Y Hugley	Y Mills	Y Sims, C
Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
E Borders	Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Forster	Y Keen	Y O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Stephenson
Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Gardner	Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Harbin	Y Lord	Y Reece, B	Y Wilkinson

Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Lucas	Y Reese	Y Williams, A
Cole	Y Heard, K	Y Lunsford	Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Maddox	Y Roberts	Williams, R
Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Cooper	Henson	Manning	Y Royal	Y Yates
Y Cox	Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bills, the ayes were 139, nays 0.

The Bills, having received the requisite constitutional majority, were passed.

Representative Hill of the 21st stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

HB 1621. By Representative Burns of the 157th:

A BILL to be entitled an Act to amend an Act creating a new board of education of Jenkins County, approved April 3, 1968 (Ga. L. 1968, p. 2965), as amended, so as to provide for nonpartisan election of the members of the board of education; to provide for submission of this Act under the federal Voting Rights Act of 1965, as amended; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Sailor
Y Amerson	Y Cummings	Y Holmes	Maxwell	E Scheid
E Anderson	Davis	Y Holt	May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Scott, M
Y Barnard	Y Dean	Y Houston	Y McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Y Sheldon
E Beasley-Teague	Dollar	Hugley	Y Mills	Y Sims, C
Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
E Borders	Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Jordan	Oliver	Stanley-Turner

Y Buckner, D	Forster	Y Keen	Y O'Neal	Stephens
Buckner, G	Franklin	Y Keown	Y Orrock	Stephenson
Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Parsons	Y Thomas, A.M
Y Butler	Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Maddox	Y Roberts	Williams, R
Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Cooper	Henson	Y Manning	Y Royal	Y Yates
Y Cox	Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 132, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

Representative Hill of the 21st stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

The following message was received from the Senate through Mr. Ewing, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bills of the Senate and House:

SB 664. By Senator Pearson of the 51st:

A BILL to be entitled an Act to create the Pickens County Airport Authority; to provide for a short title and legislative findings; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, and compensation; to provide for vacancies, organization, meetings, and expenses; to prohibit authority employees and members from having certain interests; to provide for definitions; to provide for revenue bonds and their form, signatures thereon, negotiability, sale, and use of proceeds from such sales; to provide for interim documents and for lost

or mutilated documents; to provide for conditions for issuance; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 749. By Representatives Cummings of the 16th and Forster of the 3rd:

A BILL to be entitled an Act to amend Chapter 7 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia Firefighters' Pension Fund, so as to provide for creditable service in the fund for certain active military duty; to provide for the calculation of creditable service on a monthly basis; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 809. By Representatives Knight of the 126th, Lunsford of the 110th and Yates of the 73rd:

A BILL to be entitled an Act to amend Code Section 47-14-70 of the Official Code of Georgia Annotated, relating to eligibility for retirement benefits in the Superior Court Clerk's Retirement Fund, additional or partial retirement benefits, and election to provide both retirement and survivors benefits, so as to provide that certain persons who elected a survivors benefit and whose spouse predeceased him or her shall receive a postretirement benefit adjustment; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 989. By Representatives Fleming of the 117th, Willard of the 49th, Ralston of the 7th and Hatfield of the 177th:

A BILL to be entitled an Act to amend Article 2 of Chapter 6 of Title 15 of the Official Code of Georgia Annotated, relating to clerks of superior courts, so as to change sunset dates for real estate or personal property filing fees; to change a sunset date relating to the state-wide uniform automated information system; to change a sunset date relating to collection and remittance of real estate or personal property filing fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 999. By Representatives Maddox of the 172nd, Burkhalter of the 50th, Keen of the 179th, McCall of the 30th, Ray of the 136th and others:

A BILL to be entitled an Act to amend Chapter 50 of Title 43 of the O.C.G.A., relating to veterinarians and veterinary technicians, so as to change certain provisions relating to definitions relative to such chapter; to change certain provisions relating to exemptions from licensing and registration requirements; to change certain provisions relating to veterinary technicians;

to provide for legislative purpose; to authorize the practice of veterinary technology by veterinary technicians under certain circumstances; to change certain provisions relating to application for registration as veterinary technician, qualifications, examination, renewal, applicants registered in other states, and responsibility of the State Board of Veterinary Medicine; to change certain provisions relating to scheduling and administration of examinations, reexamination, and reactivation; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1042. By Representatives Williams of the 4th, Dickson of the 6th and Forster of the 3rd:

A BILL to be entitled an Act to amend Code Section 48-7-33 of the Official Code of Georgia Annotated, relating to annual accounting periods, so as to provide for treatment of 52-53 week taxable years; to provide for powers, duties, and authority of the state revenue commissioner; to provide for applicability; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1055. By Representatives Keown of the 173rd, Freeman of the 140th, Hill of the 21st, Setzler of the 35th, Black of the 174th and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to provide for a short title; to provide for the adoption and implementation of Internet safety policies in public schools; to provide for the adoption and implementation of Internet safety policies in public libraries; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1151. By Representatives Cole of the 125th, Roberts of the 154th, Smith of the 129th and Golick of the 34th:

A BILL to be entitled an Act to amend Article 2 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to deferred compensation plans, so as to provide that the Board of Trustees of the Employees' Retirement System of Georgia shall be the successor to the Employee Benefit Council for the purpose of administering certain deferred compensation plans; to provide for the transfer of certain accounts and funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1375. By Representatives Stephens of the 164th, Bordeaux of the 162nd, Jackson of the 161st and Bryant of the 160th:

A BILL to be entitled an Act to authorize the City of Savannah to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1475. By Representative Ralston of the 7th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Ellijay in Gilmer County, approved April 11, 1979 (Ga. L. 1979, p. 3881), so as to change the corporate limits of the city; to provide for the inclusion of certain additional territory as a part of the City of Ellijay; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1557. By Representative Barnard of the 166th:

A BILL to be entitled an Act to amend an Act to re-create and reincorporate the City of Collins, approved April 17, 1975 (Ga. L. 1975, p. 3792), so as to repeal a provision relating to limitations on terms of service; to provide for other matters; to repeal conflicting laws; and for other purposes.

The Senate has adopted by the requisite constitutional majority the following resolution of the Senate:

SR 871. By Senator Reed of the 35th:

A RESOLUTION to repeal the amendment to the Constitution of Georgia creating within Fulton County the Fulton County Industrial District and prohibiting the governing authority of Fulton County from levying any tax for educational purposes within such district; to provide for a referendum with respect to the effectiveness of the foregoing; to repeal conflicting laws; and for other purposes

The Senate has passed by substitute, by the requisite constitutional majority, the following bills of the House:

HB 251. By Representatives Bridges of the 10th, Cummings of the 16th, Coleman of the 97th and Forster of the 3rd:

A BILL to be entitled an Act to amend Article 5 of Chapter 11 of Title 47 of the Official Code of Georgia Annotated, relating to retirement benefits and refund of dues under the Judges of the Probate Courts Retirement Fund of

Georgia, so as to provide that a member who is unmarried at the time of retirement may elect a retirement option of an actuarially reduced amount with payment made to a designated surviving beneficiary; to provide that a member who is married at the time of retirement may make such an election with the consent of his or her spouse; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 912. By Representative Fleming of the 117th:

A BILL to be entitled an Act to amend Code Section 9-11-34 of the Official Code of Georgia Annotated, relating to production of documents and things and entry upon land for inspection and other purposes, so as to change certain provisions relating to applicability to nonparties; to provide that silence may act as a waiver under certain circumstances; to change certain provisions relating to confidentiality; to provide for related matters; to repeal conflicting laws; and for other purposes.

By unanimous consent, the following Bill and Resolution of the Senate were read the first time and referred to the Committees:

SB 664. By Senator Pearson of the 51st:

A BILL to be entitled an Act to create the Pickens County Airport Authority; to provide for a short title and legislative findings; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, and compensation; to provide for vacancies, organization, meetings, and expenses; to prohibit authority employees and members from having certain interests; to provide for definitions; to provide for revenue bonds and their form, signatures thereon, negotiability, sale, and use of proceeds from such sales; to provide for interim documents and for lost or mutilated documents; to provide for conditions for issuance; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Planning & Community Affairs - Local.

SR 871. By Senator Reed of the 35th:

A RESOLUTION to repeal the amendment to the Constitution of Georgia creating within Fulton County the Fulton County Industrial District and prohibiting the governing authority of Fulton County from levying any tax for educational purposes within such district; to provide for a referendum

with respect to the effectiveness of the foregoing; to repeal conflicting laws; and for other purposes

Referred to the Committee on State Planning & Community Affairs.

The following members were recognized during the period of Morning Orders and addressed the House:

McCall of the 30th, McClinton of the 84th, Smith of the 168th, and Sims of the 151st.

The following Resolution of the House, favorably reported by the Committee on Rules, was read and adopted:

HR 1394. By Representative Hembree of the 67th:

A RESOLUTION commending Shelley Backstrom, Laura Bailey, Megan Livingston, and Lauren Sproul, winners of the 2006 "What Would You Say?" contest, and inviting them to appear before the House of Representatives; and for other purposes.

The following Resolution of the House was read and referred to the Committee on Rules:

HR 1891. By Representatives Buckner of the 76th, Dodson of the 75th, Barnes of the 78th, Heckstall of the 62nd, Jordan of the 77th and others:

A RESOLUTION congratulating the Jonesboro High School mock trial team on winning the Georgia Mock Trial Competition and inviting its members and coaches to appear before the House of Representatives; and for other purposes.

Under the general order of business, established by the Committee on Rules, the following Bills and Resolution of the Senate were taken up for consideration and read the third time:

SB 592. By Senators Grant of the 25th, Hill of the 4th, Kemp of the 46th and Harp of the 29th:

A BILL to be entitled an Act to amend Article 4 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the disposition of surplus property, so as to provide for the sale of certain property by fixed price; to permit the negotiated sale of surplus property to charitable institutions; to change certain provisions relating to the disposition of surplus property by

the Department of Administrative Services; to provide for penalties; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL

To amend Article 4 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to the disposition of surplus property, so as to provide for the sale of certain property by fixed price; to permit the negotiated sale of surplus property to charitable institutions; to change certain provisions relating to the disposition of surplus property by the Department of Administrative Services; to provide for penalties; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 4 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to disposition of surplus property, is amended by striking Code Section 50-5-141, relating to the transfer, sale, trade, or destruction of property, in its entirety and inserting a new Code Section 50-5-141 to read as follows:

"50-5-141.

(a) The Department of Administrative Services is authorized and it shall be its duty to dispose of surplus property by one of the following means:

(1) Transfer transfer to other state agencies, or;

(2) Sell to sell to the highest responsible bidder for cash, or;

(3) Sell by fixed price; provided, however, that surplus property sold by fixed price shall have been originally purchased by the state for an amount of \$5,000.00 or less;

(4) Trade trade in such surplus property on the purchase of new equipment if the Department of Administrative Services shall determine that such action is for the best interest of the state, or; or

(5) Where where the Department of Administrative Services shall determine that the surplus property has no value or that the cost of maintaining and selling the surplus property exceeds the anticipated proceeds from the sell of the surplus property, shall order its by destruction and disposal and order its of removal from the inventory of the department, institution, or agency with such action noted thereon.

(b) No employee of the Department of Administrative Services or such employee's immediate family member shall purchase surplus property sold by fixed price or negotiated sale; nor shall any person purchase surplus property by fixed price or negotiated sale for the direct or indirect benefit of any such employee or employee's immediate family member."

SECTION 2.

Said article is further amended by striking Code Section 50-5-142, relating to the commissioner's authority to promulgate rules and regulations, in its entirety and inserting a new Code Section 50-5-142 to read as follows:

"50-5-142.

The commissioner of administrative services shall promulgate such rules and regulations as may be required to carry out Code Sections 50-5-140, 50-5-141, 50-5-143, 50-5-144, and 50-5-146 and shall establish procedures for the disposition of surplus property, including the manner whereby the sale of surplus property shall be advertised and competitive bids for the purchase thereof shall be secured, ~~pursuant to Code Section 50-5-141.~~"

SECTION 3.

Said article is further amended by striking Code Section 50-5-144, relating to the transfer of surplus property to private health or educational institutions or public corporations by negotiated sale, in its entirety and inserting a new Code Section 50-5-144 to read as follows:

"50-5-144.

(a) As used in this Code section, the term:

(1) 'Charitable institution' ~~'Private health or educational institution'~~ means any ~~private~~, nonprofit tax-exempt person, firm, or corporation providing ~~health or educational~~ services within this state.

(2) 'Public corporation' means any public authority or other public corporation created by or pursuant to state law.

(b) In addition to any other authority provided by Code Sections 50-5-140 through 50-5-143, this Code section, and Code Section 50-5-146, the Department of Administrative Services shall be authorized to dispose of surplus property, including surplus property subject to paragraph (7) of Code Section 50-5-51, by the transfer of the property to any ~~private health or educational~~ charitable institution or public corporation through a negotiated sale if the department determines that such sale would be in the best interests of the state, and, under the circumstances, the negotiated sales price would constitute a reasonable consideration for the property.

(c) When any surplus property is sold to a ~~private health or educational~~ charitable institution or to a public corporation pursuant to subsection (b) of this Code section, the sale shall be subject to the following conditions:

(1) The property shall not be resold by the purchaser within one year after the sale without the written consent of the Department of Administrative Services; and

(2) The Department of Administrative Services shall have the right and obligation to supervise the resale of the property at public outcry to the highest responsible bidder if the resale is within one year after the sale and, if the resale price exceeds the original negotiated sales price, the amount of the excess shall be paid to the Department of Administrative Services."

SECTION 4.

Said article is further amended by striking Code Section 50-5-146, relating to penalties, in its entirety and inserting a new Code Section 50-5-146 to read as follows:

"50-5-146.

Any person ~~official, officer, or employee of the state~~ who causes state property having a value of less than \$200.00 to be disposed of in violation of ~~Code Section 50-5-141 or 50-5-142~~ this article shall be guilty of a misdemeanor. If such property has a value of \$200.00 or more, he or she shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one year nor more than five years."

SECTION 5.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Dean	Y Houston	Y McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Y Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Sims, C
Y Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Y Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Butler	Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker

Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Lunsford	Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Cooper	Y Henson	Y Manning	Y Royal	Yates
Y Cox	Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, by substitute, the ayes were 150, nays 0.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

Representatives Hill of the 21st, Rice of the 51st, and Yates of the 73rd stated that they had been called from the floor of the House during the preceding roll call. They wished to be recorded as voting "aye" thereon.

SB 399. By Senators Shafer of the 48th, Zamarripa of the 36th, Moody of the 56th, Reed of the 35th and Hill of the 32nd:

A BILL to be entitled an Act to amend Code Section 36-31-12 of the Official Code of Georgia Annotated, relating to special services districts divided into noncontiguous areas, so as to provide that a noncontiguous area within three miles of another noncontiguous area may be treated as the same noncontiguous area; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Dean	Y Houston	Y McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Y Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	E Jackson	Y Mitchell	Sims, F
Y Benton	E Dukes	Y Jacobs	Y Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L

E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Y Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	Henson	Y Manning	Y Royal	Y Yates
Y Cox	Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 156, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

Representative Hill of the 21st stated that he had been called from the floor of the House during the preceding roll call. He wished to be recorded as voting "aye" thereon.

SR 823. By Senators Grant of the 25th, Stephens of the 27th, Thomas of the 54th, Golden of the 8th, Williams of the 19th and others:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Appling County, Georgia; Baldwin and Wilkinson County, Georgia; Bibb County, Georgia; Bulloch County, Georgia; Emanuel County, Georgia; Fannin County, Georgia; Forsyth County, Georgia; Gilmer County, Georgia; Gwinnett County, Georgia; Lowndes County, Georgia; Screven County, Georgia; Terrell County, Georgia; Whitfield County, Georgia; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A RESOLUTION

Authorizing the conveyance of certain state owned real property located in Appling

County, Georgia; authorizing the conveyance of state owned real property located in Baldwin and Wilkinson County, Georgia; authorizing the conveyance of state owned real property located in Bibb County, Georgia; authorizing the conveyance of state owned real property located in Bulloch County, Georgia; authorizing the conveyance of state owned real property located in Emanuel County, Georgia; authorizing the conveyance of state owned real property located in Fannin County, Georgia; authorizing the conveyance of state owned real property located in Forsyth County, Georgia; authorizing the conveyance of state owned real property located in Gilmer County, Georgia; authorizing the conveyance of state owned real property located in Gwinnett County, Georgia; authorizing the conveyance of state owned real property located in Hall County, Georgia; authorizing the conveyance of state owned real property located in Lowndes County, Georgia; authorizing the conveyance of state owned real property located in Screven County, Georgia; authorizing the conveyance of state owned real property located in Telfair County, Georgia; authorizing the conveyance of state owned real property located in Terrell County, Georgia; authorizing the conveyance of state owned real property located in Whitfield County, Georgia; to repeal conflicting laws; and for other purposes.

WHEREAS:

- (1) State of Georgia is the owner of a certain parcel of real property located in Appling County, Georgia;
- (2) Said real property is all that tract or parcel of land containing 0.637 acres, more or less, and situated, lying and being in the city of Baxley, Georgia, and being more particularly described as follows: Starting where the Southern boundary of Industrial Drive intersects the Eastern right of way of Comas Street and running in a Southwesterly direction along the Southern Boundary of Industrial Drive to an established point; thence in a Southwesterly direction from said established point a distance of 106 feet along the Southern boundary of Industrial Drive to an established point; thence South 7 degrees 00 minutes West a distance of 160 feet to the POINT OF BEGINNING; thence South 79 degrees 30 minutes East a distance of 70 feet to a point; thence South 00 minutes West a distance of 557 feet; thence North 79 degrees 30 minutes West a distance of 70 feet to a point; thence North 7 degrees 00 minutes East a distance of 557 feet to the POINT OF BEGINNING; as described on that certain deed of conveyance to the State of Georgia being recorded as Real Property Record Number 003981 and being on file in the offices of the State Properties Commission, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;
- (3) Said property is under the custody of the Department of Agriculture and was used as a livestock barn and show arena;
- (4) The Department of Agriculture currently leases the above-described property to Appling County, and by letter dated October 12, 2005, the Commissioner of Agriculture declared the property surplus;

- (5) The above-described property was conveyed to the State of Georgia in April, 1969, from the Tri-County Fair Inc., a Georgia Corporation under the direction of Appling County, Georgia, for a consideration of \$10.00;
- (6) Appling County is desirous of acquiring the above-described property for public purpose; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Baldwin and Wilkinson County, Georgia;
- (2) Said real property is all that tract or parcel of land lying and being in GMD 328, 1714 and 115 of Baldwin and Wilkinson County, Georgia, containing approximately 576 acres, as shown on plat and outlined in yellow attached to that certain letter from Rick Hatten, Chief of Forest Management, Georgia Forestry Commission, to Mr. Frank Wall, Chairman of Call Line Industrial Authority, dated September 21, 2005, and on file in the offices of the State Properties Commission, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;
- (3) Said parcel is a portion of Bartram Forest now under the custody of the Georgia Forestry Commission;
- (4) The Georgia Department of Transportation intends to construct the "Fall Line Freeway" which will bisect Bartram Forest and the Fall Line Development Authority is desirous of constructing an industrial park at the intersection of the US Highway 441 and said Fall Line Freeway;
- (5) It has been determined that the development of said industrial park on the above-described property would be of great economic benefit to the citizens of Baldwin and Wilkinson Counties;
- (6) The Georgia Forestry Commission, by letter from the director dated September 21, 2005, agrees to the conveyance to the Fall Line Industrial Development Authority with the provision that Georgia Forestry Commission retains timber rights on the 576 +/- acre tract for management and harvesting until such time as the actual conversion of the land use;
- (7) No conveyance shall be made until the Georgia Forestry Commission formally agrees on the exact acreage to be conveyed to the Fall Line Industrial Development Authority;
- (8) It would be in the best interest of the State of Georgia to convey the above-described property to the Fall Line Development Authority for the fair market value; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Bibb County, Georgia;
- (2) Said real property is all that tract or parcel of land lying and being in Land Lot 156 of the 4th Land District in the City of Macon containing 10 acres, more or less, as

shown on a plat of survey dated April 19, 1973, containing 5.58 acres prepared by S. J. Gostin Company, Inc. and being on file in the offices of the State Properties Commission as Real Property Record Number 5740, and a portion consisting of approximately 7 acres of that certain tract of land also lying and being in Land Lot 156 of the 4th Land District in the City of Macon containing 23.89 acres, more or less, prepared by S. J. Gostin Company, Inc. and being on file in the offices of the State Properties Commission as Real Property Record Number 5708, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;

(3) Said property is under the custody of the Department of Agriculture and is located adjacent to the Macon Farmer's Market;

(4) The Department of Agriculture currently leases the above-described property to Bibb County, and by letter dated October 31, 2005, the Commissioner of Agriculture declared the property surplus;

(5) It would be in the best interest of the State of Georgia to sell the above-described property by competitive bid; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of real property located in Bulloch County, Georgia;

(2) Said real property is all that tract or parcel of land lying and being in the 1547th G. M. District of Bulloch County, Georgia, containing 1.148 acres fronting Southwest of Georgia Highway No. 67, all as shown on a Certificate of Survey prepared by Lamar O. Reddick and dated April 1, 1971, and recorded in Plat Book 10, Page 194, Bulloch County Records, and described according to metes and bounds as follows: BEGINNING at a point on the Northeast boundary of Georgia Highway No. 67, which point is located 546 feet Southeast of Statesboro Kiwanis Club line as measured along the Northeast boundary of Georgia Highway No. 67, and proceeding thence South 29 degrees 30 minutes East a distance of 250.0 feet as measured along the Northeast boundary of Georgia Highway No. 67 to a point; thence North 59 degrees 30 minutes East a distance of 200.0 feet as measured along lands of Statesboro Kiwanis Club to a point; thence North 29 degrees 30 minutes West a distance of 250.0 feet as measured along lands of Statesboro Kiwanis Club to a point; and thence South 59 degrees 30 minutes West a distance of 200.0 feet as measured along lands of Statesboro Kiwanis Club to the point of BEGINNING; as described on that certain deed of conveyance to the State of Georgia being recorded as Real Property Record Number 5215 and being on file in the offices of the State Properties Commission, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;

(3) Said property is under the custody of the Department of Agriculture and was used as a livestock barn and show arena;

- (4) The Department of Agriculture currently leases the above-described property to Bulloch County, and by letter dated October 12, 2005, the Commissioner of Agriculture declared the property surplus;
- (5) The above-described property was conveyed to the State of Georgia from Bulloch County, Georgia in June, 1971, for a consideration of \$10.00;
- (6) Bulloch County is desirous of acquiring the above-described property for public purpose; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Emanuel County, Georgia;
- (2) Said real property is all that tract or parcel of land lying, situate, and being in the 53rd G. M. District of Emanuel County, Georgia, containing One and Sixty-Six One-Hundredths (1.66) acres, more or less, and bounded North by a County Road; East, South, and West by other lands of Emanuel County. Said property is more minutely described by plat made by C. L. Gillis, Sr., Surveyor, dated June 26, 1969, which is recorded in the Office of Clerk, Emanuel Superior Court, in Plat Book 5, Page 92; as described on that certain deed of conveyance to the State of Georgia being recorded as Real Property Number 004001 and being on file in the offices of the State Properties Commission, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;
- (3) Said property is under the custody of the Department of Agriculture and was used as a livestock barn and show arena;
- (4) The Department of Agriculture currently leases the above-described property to Emanuel County, and by letter dated October 12, 2005, the Commissioner of Agriculture declared the property surplus;
- (5) The above-described property was conveyed to the State of Georgia from Emanuel County, Georgia in June 1969 for a consideration of \$10.00;
- (6) Emanuel County is desirous of acquiring the above-described property for public purpose; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Fannin County, Georgia;
- (2) Said real property is all that tract or parcel of land containing 3.56 acres, more or less, situated, lying and being in Land Lot 315, 8th District and 2nd Section of Fannin County, Georgia, and located within the corporate city limits of the City of Blue Ridge and being more exactly described as follows: BEGINNING at a point on the South right of way line of Willingham Circle said point being marked by an iron pipe and located South 68 degrees, 15 minutes, 28 seconds, West 1035.35 feet from the iron pipe which marks the Northeast corner of said lot of land to its intersection with the East right of way line of Georgia Highway 5 said intersection being marked by an

iron pipe, the traverse being as follows: South 63 degrees, 16 minutes West 224.30 feet, South 59 degrees, 37 minutes West, 369.06 feet; thence South 30 degrees, 50 minutes East, 100.00 feet to a point marked by an iron pipe; thence North 66 degrees, 10 minutes East 490.00 feet to a point marked by an iron pipe; thence North 8 degrees, 19 minutes West 218.00 feet to a point marked by an iron pipe; thence North 48 degrees, 42 minutes West 87.95 feet to the point of BEGINNING, as described on that certain deed of conveyance to the State of Georgia being recorded as Real Property Record Number 539 and being on file in the offices of the State Properties Commission, less and except that certain .10 of one acre, more or less, tract of land which was conveyed by the State of Georgia to the City of Blue Ridge, Georgia by QuitClaim Deed dated February 19, 1988, and on file in the offices of the State Properties Commission and recorded as Real Property Record Number 7520, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;

(3) Said property is under the custody of the Department of Agriculture and has been used as the Blue Ridge State Farmer's Market;

(4) The Department of Agriculture currently leases the above-described property to Fannin County, and by letter dated October 13, 2005, the Commissioner of Agriculture declared the property surplus;

(5) The above-described property was conveyed to the State of Georgia in February, 1957, from the City of Blue Ridge, Fannin County, Georgia for a consideration of \$10.00;

(6) The City of Blue Ridge is desirous of acquiring the above-described property for public purpose; and

WHEREAS:

(1) The State of Georgia is the owner of two certain parcels of real property located in Forsyth County, Georgia;

(2) Said real property are all those tracts or parcels of land lying and being in Land Lot 988 of the 3rd District, 1st Section of Forsyth County and containing a total of approximately 1.27 acres as shown on a plat of survey prepared by William C. Mundy, Georgia Registered Land Surveyor #2131 dated July 8, 1982, as described on those certain deeds of conveyance to the State of Georgia being recorded as Real Property Numbers 7140 and 7141, and being on file in the offices of the State Properties Commission and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;

(3) Said property is under the custody of the Georgia Forestry Commission and was used as the Forsyth County Office;

(4) The Georgia Forestry Commission currently leases the above-described property to Forsyth County, and by letter dated October 17, 2005, the Director of the Forestry Commission declared the property surplus;

(5) It would be in the best interest of the State of Georgia to sell the above-described property by competitive bid; and

WHEREAS:

- (1) The State of Georgia is the owner of two certain parcels of real property located in Gilmer County, Georgia;
- (2) Said real property is all that tract or parcel of land lying and being in Land Lot 159 and 160 of the 11th District, 2nd Section of Gilmer County and containing 120 acres, more or less, as shown on a plat of survey prepared by Joel Jordan, Georgia Registered Land Surveyor #2430 dated November 30, 2005, and being on file in the offices of the State Properties Commission and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;
- (3) Said property is a portion of Rich Mountain Wildlife Management Area, now under the custody of the Department of Natural Resources;
- (4) Rhonda Chatham and David Wallace Stover have agreed to convey two (2) parcels containing 148.87 acres, more or less, constituting inholdings within Rich Mountain Wildlife Management Area in exchange for the above-described state owned parcel;
- (5) It has been determined that the value of the property to be conveyed to Rhonda Chatham and David Wallace Stover is equal to the value of the property to be acquired by the state and Rhonda Chatham and David Wallace Stover have agreed to pay all expenses relative to the land exchange;
- (6) The Department of Natural Resources by resolution dated December 7, 2005, recommended the exchange of the above-described properties; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Gwinnett County, Georgia;
- (2) Said real property is all that tract or parcel of land containing approximately 4.67 acres lying and being in Land Lot 74 of the 7th District, Gwinnett County, Georgia and being more particularly described on a plat of survey prepared by Lloyd C. McNally Jr. Georgia Registered Land Surveyor #2040 dated May 22, 1985, and revised July 16, 1985, and July 29, 1985, a copy of which is recorded in plat book 32, page 42 in the office of clerk of Superior Court in Gwinnett County, Georgia, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;
- (3) Said property is under the custody of the Department of Labor and the physical facilities located thereon were formerly used as the local office of the Department of Labor;
- (4) The Department of Labor, by letter from the commissioner dated December 23, 2005, has determined that such improved real property and the physical facilities

located thereon cannot any longer fulfill its needs and that replacement physical facilities to be situated on real properties at other locations in the same city or above-referenced county is necessary; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Hall County, Georgia;
- (2) Said real property is all that tract or parcel of land lying and being in Land Lot 135 and 138 of the 10th Land District of Hall County, Georgia, and containing 5.69 acres more or less and outlined in yellow on a plat of survey prepared by Ralph G. Holland, Georgia Surveyor dated November 1, 1957, and being on file in the offices of the State Properties Commission and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;
- (3) Said property is the location of the existing Georgia State Patrol Post #16 in the City of Gainesville now under custody of the State of Georgia Department of Public Safety;
- (4) The governing authority of Hall County has proposed that Hall County finance and construct a new building and other appropriate facilities upon said property to house Post #16 and its operations;
- (5) Hall County must acquire the above-described property for the purpose of issuing bonds to finance construction of said building and appropriate facilities;
- (6) After a period of 15 years, Hall County will convey the above-described improved property to the state for a consideration of \$1.00;
- (7) It is in the best interest of the Georgia State Patrol and Department of Public Safety and the public safety generally to utilize such new buildings and facilities to house Georgia State Patrol Post #16 and its operations;
- (8) The Department of Public Safety by resolution dated February 15, 2006, recommends transfer of said property to Hall County for the construction of new State Patrol Post #16; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Lowndes County, Georgia;
- (2) Said real property is all that tract or parcel of land containing 1.32 acres more or less situated, lying and being in Land Lot 34 of the 11th Land District, Lowndes County, Georgia, and may be more particularly described on a plat of survey made by Harris Surveying and Engineering Company, Inc. dated June 30, 1989, and recorded in plat book 34, page 35 in the office of the clerk of Superior Court, Lowndes County, Georgia and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;

(3) Said property is under the custody of the Department of Labor and the physical facilities located thereon were formerly used as the local office of the Department of Labor;

(4) The Department of Labor, by letter from the commissioner dated December 23, 2005, has determined that such improved real property and the physical facilities located thereon cannot any longer fulfill its needs and that replacement physical facilities to be situated on real properties at other locations in the same city or above-referenced county is necessary; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of real property located in Screven County, Georgia;

(2) Said real property is all that certain tract or parcel of land situate, lying and being in the 34th G. M. District of Screven County, Georgia, containing seven and fifteen hundredth (7.15) acres, more or less, and bounded as follows: On the Northeast by Sylvania-Rocky Ford Public Road as now established and lands of Mrs. Elizabeth Z. Pierce, a branch separating the lands herein conveyed from lands of Mrs. Pierce; on the Southeast by a public county road, known as the "Cavie Howard Road," the center line; on the South and Northwest by other lands of Screven County. For a more particular description reference is made to a plat of survey by Robert L. Bell, Surveyor, dated May 30, 1967, and recorded in Plat Book 10, Page 284, public records of Screven County, Georgia; as described on that certain deed of conveyance to the State of Georgia being recorded as Real Property Record Number 004761 and being on file in the offices of the State Properties Commission, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;

(3) Said property is under the custody of the Department of Agriculture and was used as a livestock barn and show arena;

(4) The Department of Agriculture currently leases the above-described property to Screven County, and by letter dated October 12, 2005, the Commissioner of Agriculture declared the property surplus;

(5) The above-described property was conveyed to the State of Georgia from Screven County, Georgia in June, 1967, for a consideration of \$1.00;

(6) Screven County is desirous of acquiring the above-described property for public purpose; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of real property located in Telfair County, Georgia;

(2) Said property is all that tract or parcel of land lying and being in Land Lot 176 of the 10th Land District, City of Helena, Telfair County, Georgia, and containing 0.135 acres more or less, as shown on a plat of survey prepared by Grady Boney, Georgia Registered Land Surveyor #2460 dated May 3, 2001, and revised November 3, 2005,

and being on file in the offices of the State Properties Commission and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;

(3) Said property is a portion of existing Georgia State Patrol Post #16 located in the City of Helena now in the custody of the State of Georgia, Department of Public Safety; and

(4) Ronald E. Eddie Cravey and Russell Cravey have agreed to convey a parcel of land containing 0.236 acres more or less, being a tract of land contiguous to the existing State Patrol Post #16, in exchange for the above-described state owned parcel;

(5) The exchange of properties would resolve the encroachment of a communication tower gray wire placed on the Cravey property by the state patrol;

(6) The Georgia Department of Public Safety by resolution dated February 15, 2006, recommended the exchange of the above-described properties; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of real property located in Terrell County, Georgia;

(2) Said real property is all that tract or parcel of land containing .5 acres situated, lying and being in the 4th District of Terrell County and being more particularly described as follows: Run South from intersection of North lot line of Lot 288 in the 4th Land District and Herod Road, a distance of 1540 feet along Herod Road to point of BEGINNING; thence run West 165 feet, thence South 132 feet, thence East 165 feet to Herod Road, thence North 143 feet along Herod Road to point of BEGINNING, as contained on that certain deed of conveyance to the State of Georgia being recorded as Real Property Record Number 1292 and being on file in the offices of the State Properties Commission, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;

(3) Said property is under the custody of the Georgia Forestry Commission and was used as the Terrell County Office;

(4) The Georgia Forestry Commission currently leases the above-described property to Terrell County, and by letter dated October 17, 2005, the Commissioner of Forestry declared the property surplus;

(5) The above-described property was acquired in 1958 from W. J. Mathis for a consideration of \$2.00;

(6) It would be in the best interest of the State of Georgia to sell the above-described property by competitive bid; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of real property located in Whitfield County, Georgia;

- (2) Said real property is all that tract or parcel of land containing 2.73 acres, more or less, and situated, lying and being in Land Lots 39 and 40 of the 12th District, 3rd Section of Whitfield County, Georgia and being more particularly described as parcel numbers 3 and 6 of the Western and Atlantic Valuation Map Number V2 / 51 on file in the offices of the State Properties Commission, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval;
- (3) Said property is under the custody of the State Properties Commission and is located adjacent to the historic Tunnel Hill Depot at Chetoogeta Railroad Tunnel, commonly known as Tunnel Hill Tunnel;
- (4) It has been determined that the above-described property is no longer needed for the operation of the Western and Atlantic Railroad and is, therefore, surplus to the needs of the State of Georgia;
- (5) Whitfield County is desirous of acquiring the above-described property for public purpose.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I
SECTION 1.

That the State of Georgia is the owner of the above-described Appling County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 2.

That the above-described real property may be conveyed by appropriate instrument, acting by and through the State Properties Commission to Appling County for a consideration of \$1.00, so long as the property is used for public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 3.

That the authorization in this resolution to convey the above-described property interest shall expire three years after the date that this resolution becomes effective.

SECTION 4.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 5.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of

Appling County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 6.

That custody of the above-described property shall remain in the Department of Agriculture until this property is conveyed.

ARTICLE II

SECTION 7.

That the State of Georgia is the owner of the above- described Baldwin / Wilkinson County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 8.

That the above-described real property may be conveyed by appropriate instrument, acting by and through the State Properties Commission to the Fall Line Industrial Development Authority for a consideration of not less than the fair market value as determined by the State Properties Commission to be in the best interests of the State of Georgia, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 9.

That the Georgia Forestry Commission, by letter dated September 21, 2005, agrees to the conveyance to the Fall Line Industrial Development Authority with the provision the Georgia Forestry Commission retains timber rights on the 576 +/- acre tract for management and harvesting until such time as the actual conversion of the land use.

SECTION 10.

That the authorization in this resolution to convey the above-described property interest shall expire three years after the date that this resolution becomes effective.

SECTION 11.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 12.

That the deed of conveyance shall be recorded by the grantee in the Superior Courts of Baldwin and Wilkinson Counties, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 13.

That custody of the above-described property shall remain in the Georgia Forestry Commission until this property is conveyed.

ARTICLE III**SECTION 14.**

That the State of Georgia is the owner of the above-described Bibb County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 15.

That the above-described real property may be sold by the State of Georgia, acting by and through the State Properties Commission by competitive bid for a consideration of not less than the fair market value as determined by the State Properties Commission to be in the best interest of the State of Georgia, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 16.

That the authorization in this resolution to sell the above-described property by competitive bid shall expire three years after the date that this resolution becomes effective.

SECTION 17.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such sale.

SECTION 18.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Bibb County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 19.

That custody of the above-described property shall remain in the Department of Agriculture until this property is sold.

ARTICLE IV**SECTION 20.**

That the State of Georgia is the owner of the above-described Bulloch County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 21.

That the above-described real property may be conveyed by appropriate instrument, acting by and through the State Properties Commission to Bulloch County for a consideration of \$1.00, so long as the property is used for public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 22.

That the authorization in this resolution to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 23.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 24.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Bulloch County, Georgia, and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 25.

That custody of the above-described property shall remain in the Department of Agriculture until this property is conveyed.

ARTICLE V**SECTION 26.**

That the State of Georgia is the owner of the above-described Emanuel County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 27.

That the above-described real property may be conveyed by appropriate instrument, acting by and through the State Properties Commission to Emanuel County for a consideration of \$1.00, so long as the property is used for public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 28.

That the authorization in this resolution to convey the above-described property interest shall expire three years after the date that this resolution becomes effective.

SECTION 29.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 30.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Emanuel County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 31.

That custody of the above-described property shall remain in the Department of Agriculture until this property is conveyed.

ARTICLE VI**SECTION 32.**

That the State of Georgia is the owner of the above-described Fannin County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 33.

That the above-described real property may be conveyed by appropriate instrument, acting by and through the State Properties Commission to the City of Blue Ridge, Fannin County, Georgia for a consideration of \$1.00, so long as the property is used for public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 34.

That the authorization in this resolution to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 35.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 36.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Fannin County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 37.

That custody of the above-described property shall remain in the Department of Agriculture until this property is conveyed.

ARTICLE VII
SECTION 38.

That the State of Georgia is the owner of the above-described Forsyth County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 39.

That the above-described real property may be sold by the State of Georgia, acting by and through the State Properties Commission by competitive bid for a consideration of not less than the fair market value as determined by the State Properties Commission to be in the best interest of the State of Georgia, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 40.

That the authorization in this resolution to sell the above-described property by competitive bid shall expire three years after the date that this resolution becomes effective.

SECTION 41.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such sale.

SECTION 42.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Forsyth County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 43.

That custody of the above-described property shall remain in the Georgia Forestry Commission until this property is sold.

ARTICLE VIII
SECTION 44.

That the State of Georgia is the owner of the above-described Gilmer County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 45.

That the above-described real property may be conveyed to Rhonda Chatham and David Wallace Stover, acting by and through the State Properties Commission in exchange for 2

parcels containing 148.87 acres owned by Rhonda Chatham and David Wallace Stover with Rhonda Chatham and David Wallace Stover to pay all costs associated with the exchange, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 46.

That the authorization in this resolution to exchange the above-described properties shall expire three years after the date that this resolution becomes effective.

SECTION 47.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such sale.

SECTION 48.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Gilmer County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 49.

That custody of the above-described property shall remain in the Department of Natural Resources until the property is conveyed.

ARTICLE IX

SECTION 50.

That the above-referenced improved real property is located in and more particularly described and referred to as:

1535 Atkinson Road
Lawrenceville Road
Gwinnett County, Georgia; and

SECTION 51.

That the State of Georgia is the owner of the above-described real property and that, in all matters relating to the disposition by sale, lease, or exchange of said improved properties, the State of Georgia is acting by and through its State Properties Commission. In its handling of said dispositions by sale, lease, or exchange, the State Properties Commission shall act for the benefit of the Department of Labor in fulfilling the department's above-referenced improved real property replacement needs. Without limiting the foregoing, but by way of illustration, the State Properties Commission may sell, lease, or exchange the above-described real properties for considerations which enable the Department of Labor to acquire other real property, construct and equip replacement facilities, and undertake related activities necessary or convenient thereto. By way of further

illustration and notwithstanding Code Section 45-12-92 of the O.C.G.A. or any other provision of law, the State Properties Commission may permit any cash considerations received from said dispositions to be retained by the Department of Labor and applied by it to acquisition, construction, and equipping of such replacement facilities; and, similarly, any in-kind considerations, including, for example, exchanged real property or construction services, may be applied by the department to its replacement needs.

SECTION 52.

That the State of Georgia, acting by and through its State Properties Commission, is authorized and empowered, for the benefit of the Department of Labor, to dispose of, by sale, lease, or exchange, during the present and following years, the record title of the State of Georgia in and to any or all of the above-described improved real property for a monetary or in-kind consideration of not less than the fair market value as determined by the State Properties Commission to be in the best interest of the State of Georgia of said improved real property and upon such other terms and conditions as the State Properties Commission shall determine to be in the best interest of and most advantageous to the State of Georgia and to its Department of Labor. If any such disposition of said above-described improved real properties is by sale or exchange, the conveyance by the State of Georgia shall be by quitclaim deed.

SECTION 53.

That the State Properties Commission is authorized and empowered to do all acts and to impose all requirements it deems necessary and proper to effect a disposition by sale, lease, or exchange of each respective parcel of said above-described improved real property. As an indispensable part of the grant of authority contained in this resolution, it is further provided that before any transaction authorized hereby may be consummated or closed that 30 days in advance thereof the State Properties Commission shall report the full terms and conditions of such transaction to the chairpersons of the House Committee on State Institutions and Property and the Senate Committee on State Institutions and Property.

SECTION 54.

That, for purposes of compliance with the provisions of paragraph (4) of subsection (b) of Code Section 50-16-122 of the O.C.G.A. requiring that a conveyance of real property by the State of Georgia be filed with the State Properties Commission and accompanied by a plat of survey of the property conveyed, the plat of survey of each of the parcels of the above-described improved real properties, the dispositions of which by sale, lease, or exchange are authorized by this resolution, approved by the State Properties Commission shall constitute an acceptable plat of survey of that particular parcel for filing with the State Properties Commission.

ARTICLE X

SECTION 55.

That the State of Georgia is the owner of the above-described Hall County, Georgia real property and that in all matters relating to the conveyance of the real property the state of Georgia is acting by and through its State Properties Commission.

SECTION 56.

That the above-described real property may be conveyed by appropriate instrument, acting by and through the State Properties Commission to Hall County for a consideration of \$1.00, so long as the property is used for public purposes, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 57.

That the authorization in this resolution to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 58.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 59.

That the deed of conveyance shall be recorded by the grantee in their Superior Court of Hall County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 60.

That custody of the above-described property shall remain in the Department of Public Safety until this property is conveyed.

ARTICLE XI
SECTION 61.

That the above-referenced improved real property is located in and more particularly described and referred to as:

2808 North Oak Street
Valdosta
Lowndes County, Georgia; and

SECTION 62.

That the State of Georgia is the owner of the above-described real property and that, in all matters relating to the disposition by sale, lease, or exchange of said improved properties, the State of Georgia is acting by and through its State Properties Commission. In its handling of said dispositions by sale, lease, or exchange, the State Properties Commission shall act for the benefit of the Department of Labor in fulfilling the department's above-

referenced improved real property replacement needs. Without limiting the foregoing, but by way of illustration, the State Properties Commission may sell, lease, or exchange the above-described real properties for considerations which enable the Department of Labor to acquire other real property, construct and equip replacement facilities, and undertake related activities necessary or convenient thereto. By way of further illustration and notwithstanding Code Section 45-12-92 of the O.C.G.A. or any other provision of law, the State Properties Commission may permit any cash considerations received from said dispositions to be retained by the Department of Labor and applied by it to acquisition, construction, and equipping of such replacement facilities; and, similarly, any in-kind considerations, including, for example, exchanged real property or construction services, may be applied by the department to its replacement needs.

SECTION 63.

That the State of Georgia, acting by and through its State Properties Commission, is authorized and empowered, for the benefit of the Department of Labor, to dispose of, by sale, lease, or exchange, during the present and following years, the record title of the State of Georgia in and to any or all of the above-described improved real property for a monetary or in-kind consideration of not less than the fair market value as determined by the State Properties Commission to be in the best interest of the State of Georgia of said improved real property and upon such other terms and conditions as the State Properties Commission shall determine to be in the best interest of and most advantageous to the State of Georgia and to its Department of Labor. If any such disposition of said above-described improved real properties is by sale or exchange, the conveyance by the State of Georgia shall be by quitclaim deed.

SECTION 64.

That the State Properties Commission is authorized and empowered to do all acts and to impose all requirements it deems necessary and proper to effect a disposition by sale, lease, or exchange of each respective parcel of said above-described improved real property. As an indispensable part of the grant of authority contained in this resolution, it is further provided that before any transaction authorized hereby may be consummated or closed that 30 days in advance thereof the State Properties Commission shall report the full terms and conditions of such transaction to the chairpersons of the House Committee on State Institutions and Property and the Senate Committee on State Institutions and Property.

SECTION 65.

That, for purposes of compliance with the provisions of paragraph (4) of subsection (b) of Code Section 50-16-122 of the O.C.G.A. requiring that a conveyance of real property by the State of Georgia be filed with the State Properties Commission and accompanied by a plat of survey of the property conveyed, the plat of survey of each of the parcels of the above-described improved real properties, the dispositions of which by sale, lease, or exchange are authorized by this resolution, approved by the State Properties Commission

shall constitute an acceptable plat of survey of that particular parcel for filing with the State Properties Commission.

ARTICLE XII
SECTION 66.

That the State of Georgia is the owner of the above-described Screven County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 67.

That the above-described real property may be conveyed by appropriate instrument, acting by and through the State Properties Commission to Screven County for a consideration of \$1.00, so long as the property is used for public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 68.

That the authorization in this resolution to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 69.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 70.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Screven County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 71.

That custody of the above-described property shall remain in the Department of Agriculture until this property is conveyed.

ARTICLE XIII
SECTION 72.

That the State of Georgia is the owner of the above-described Telfair County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 73.

That the above-described real property may be conveyed to Ronald E. Eddie Cravey and

Russell Cravey, acting by and through the State Properties Commission in exchange for a parcel containing 0.236 acres owned by Ronald E. Eddie Cravey and Russell Cravey, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 74.

That the authorization in this resolution to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 75.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such exchange.

SECTION 76.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Telfair County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 77.

That custody of the above-described property shall remain in the Department of Public Safety until this property is conveyed.

ARTICLE XIV

SECTION 78.

That the State of Georgia is the owner of the above-described Terrell County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 79.

That the above-described real property may be sold by competitive bid, acting by and through the State Properties Commission to be in the best interest of the State and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 80.

That the authorization in this resolution to sell the above-described property by competitive bid shall expire three years after the date that this resolution becomes effective.

SECTION 81.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such sale.

SECTION 82.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Terrell County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 83.

That custody of the above-described property shall remain in the Georgia Forestry Commission until this property is sold.

ARTICLE XV**SECTION 84.**

That the State of Georgia is the owner of the above-described Whitfield County, Georgia real property and that in all matters relating to the conveyance of the real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 85.

That the above-described real property may be conveyed by appropriate instrument, acting by and through the State Properties Commission to Whitfield County, Georgia for a consideration of \$1.00, so long as the property is used for public purpose, and such further consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia.

SECTION 86.

That the authorization in this resolution to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 87.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 88.

That the deed of conveyance shall be recorded by the grantee in the Superior Court of Whitfield County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 89.

That custody of the above-described property shall remain in the State Properties Commission until this property is conveyed.

ARTICLE XVI**SECTION 90.**

That this resolution shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 91.

That all laws and parts of laws in conflict with this resolution are repealed.

The report of the Committee, which was favorable to the adoption of the Resolution, by substitute, was agreed to

On the adoption of the Resolution, by substitute, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	Y McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Y Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Johnson	Y Murphy, J	Y Smith, T
Y Brown	Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the adoption of the Resolution, by substitute, the ayes were 157, nays 0.

The Resolution, having received the requisite constitutional majority, was adopted, by substitute.

SB 79. By Senators Williams of the 19th, Pearson of the 51st, Rogers of the 21st, Goggans of the 7th, Heath of the 31st and others:

A BILL to be entitled an Act to amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to competencies and core curriculum, so as to provide expressly that local boards of education are authorized to provide additional elective courses for students in specified grades; to provide for state funding of such additional elective courses; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL

To amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to competencies and core curriculum for elementary and secondary students under the "Quality Basic Education Act," so as to provide for the offering of state funded high school courses in the History and Literature of the Old Testament Era and the History and Literature of the New Testament Era; to provide for the adoption of the curricula for such courses by the State Board of Education; to provide for reading materials, and methods of teaching in such courses; to provide for certain matters relating to the employment and assignment of teachers of such courses; to provide for the granting of academic credit for the successful completion of such courses; to provide for the monitoring of the content and teaching of such courses; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to competencies and core curriculum for elementary and secondary students under the "Quality Basic Education Act," is amended by adding at the end thereof a new Code section to read as follows:

"20-2-148.

(a) All public schools with grade nine or above may make available to eligible students in grades nine through 12 an elective course in the History and Literature of the Old Testament Era and an elective course in the History and Literature of the New Testament Era. The purpose of such courses shall be to accommodate the rights and desires of those teachers and students who wish to teach and study the Old and New Testaments and to familiarize students with the contents of the Old and New

Testaments, the history recorded by the Old and New Testaments, the literary style and structure of the Old and New Testaments, the customs and cultures of the peoples and societies recorded in the Old and New Testaments, and the influence of the Old and New Testaments upon law, history, government, literature, art, music, customs, morals, values, and culture.

(b)(1) No later than February 1, 2007, the State Board of Education shall adopt a curriculum for each course, including objectives, reading materials, and lesson plans, which has been prepared in accordance with the requirements of this subsection.

(2) The book or collection of books commonly known as the Old Testament shall be the basic text for the course in the History and Literature of the Old Testament Era, and the book or collection of books commonly known as the New Testament shall be the basic text for the course in the History and Literature of the New Testament Era. In addition, students may be assigned a range of reading materials for the courses, including selections from secular historical and cultural works and selections from other religious and cultural traditions. The courses shall familiarize students with the customs and cultures of the times and places referred to in the Old and New Testaments. The courses shall familiarize the students with the methods and tools of writing at the times the Old and New Testament books were written, the means by which they were preserved, the languages in which they were written and into which they were translated, and the historical and cultural events which led to the translation of the Old and New Testaments into the English language. The local board of education may recommend which version of the Old or New Testament may be used in the course; provided, however, that the teacher of the course shall not be required to adopt that recommendation but may use the recommended version or another version. No student shall be required to use one version as the sole text of the Old or New Testament. If a student desires to use as the basic text a different version of the Old or New Testament from that chosen by the local board of education or teacher, he or she shall be permitted to do so.

(3) The courses provided for in this Code section shall:

(A) Be taught in an objective and nondevotional manner with no attempt made to indoctrinate students as to either the truth or falsity of the biblical materials or texts from other religious or cultural traditions;

(B) Not include teaching of religious doctrine or sectarian interpretation of the Bible or of texts from other religious or cultural traditions; and

(C) Not disparage or encourage a commitment to a set of religious beliefs.

(c) The provisions of this chapter relating to personnel employed by local units of administration, including without limitation certification requirements, employment, and supervision, shall apply to persons who teach the courses provided for in this Code section. In addition, no person shall be assigned to teach such courses based in whole or in part on any religious test, profession of faith or lack thereof, prior or present religious affiliation or lack of affiliation, or criteria involving particular beliefs or lack thereof about the Bible. Except for these requirements, the qualifications and training of teachers shall be determined by the local boards of education.

(d) On and after July 1, 2007, for the purpose of earning Carnegie unit curriculum credits at the high school level, satisfactory completion of the course in the History and Literature of the Old Testament Era shall be accepted by the State Board of Education for one-half unit of elective credit, and satisfactory completion of the course in the History and Literature of the New Testament Era shall be accepted by the State Board of Education for one-half unit of elective credit; provided, however, that such courses are taught in strict compliance with the requirements of this Code section.

(e) A local board of education may make such arrangements for monitoring the content and teaching of the course in the History and Literature of the Old Testament Era and the course in the History and Literature of the New Testament Era as it deems appropriate.

(f) Nothing in this Code section shall be construed to limit the authority of a local board of education to offer courses regarding the Old Testament or the New Testament that are not in compliance with this Code section; provided, however, that no state funds distributed pursuant to this article shall be expended in connection with such a course that does not meet the requirements of this Code section.

(g) Nothing in this Code section shall be construed to prohibit local boards of education from offering elective courses based upon the books of other religions or societies. In determining whether to offer such courses, the local board may consider various factors including, but not limited to, student and parent demand for such courses and the impact such books have had upon history and culture."

SECTION 2.

This Act shall become effective on July 1, 2006.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

N Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Millar	Y Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
N Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	N Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L

E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	N Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	N Orrock	Y Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	N Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Lunsford	Y Rice	Williams, E
Y Coleman, B	N Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, by substitute, the ayes were 151, nays 7.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

SB 195. By Senators Schaefer of the 50th, Rogers of the 21st, Carter of the 13th, Chance of the 16th, Pearson of the 51st and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other trade practices, so as to regulate loans to and abandoned property of museums and archives repositories; to provide a short title; to define certain terms; to provide a process for establishing ownership of property loaned to museums and archives repositories; to provide for notice; to provide for other related matters; to repeal conflicting laws; and for other purposes

The following Committee substitute was read and adopted:

A BILL

To amend Chapter 4 of Title 1 of the Official Code of Georgia Annotated, relating to holidays and observances, so as to recognize the national "Year of the Museum" as 2006; to amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to

selling and other trade practices, so as to regulate loans to and abandoned property of museums and archives repositories; to provide a short title; to define certain terms; to provide a process for establishing ownership of property loaned to museums and archives repositories; to provide for notice; to provide for exemptions; to amend Article 5 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated, relating to disposition of unclaimed property, so as to include cross-references; to provide for other related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 4 of Title 1 of the Official Code of Georgia Annotated, relating to holidays and observances, is amended by inserting a new Code section to the end of such chapter, to read as follows:

"1-4-16.

(a) The General Assembly finds that:

- (1) Museums nourish minds and spirits by fostering contemplation, exploration, critical thinking, and dialogue to advance knowledge, understanding, and appreciation of history, science, the arts, and the natural world;
- (2) Museums present exhibitions and programs created through research and scholarship for people to explore new ideas, exchange stories, and discover collections and objects from our cultural and natural heritage;
- (3) Museums strengthen and enrich the lives of people by inspiring lifelong learning, serving as repositories and stewards for our unique histories, culture, achievements, and values, and contributing to the livability and economic vitality of our towns and cities;
- (4) Museums forge relationships with community partners such as schools, libraries, public broadcasting, and neighborhood and social service organizations to foster civic participation and cultural understanding;
- (5) Museums have been serving the American public since 1773, encouraging curiosity and providing a source of enjoyment and education for every generation; and
- (6) The American Association of Museums has declared 2006 as the 'Year of the Museum' nationwide.

(b) In recognition of the findings included in subsection (a) of this Code section and at the invitation of the American Association of Museums, 2006 is hereby recognized as the 'Year of the Museum.'

(c) This Code section shall stand repealed on December 31, 2006."

SECTION 2.

Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other trade practices, is amended by inserting immediately following Article 17A, relating to consignment of art, a new Article 17B to read as follows:

"ARTICLE 17B

10-1-529.1.

This article shall be known and may be cited as the 'Georgia Museum Property Act.'

10-1-529.2.

As used in this article, the term:

(1) 'Archives repository' means a nonprofit organization or a public agency whose primary functions include selecting, preserving, and making available records of historical or enduring value and that is open to the public on a regular basis. Archives repository does not include a public library.

(2) 'Loan' means the placement of property with a museum or archives repository that is not accompanied by a transfer of title of the property to the museum or archives repository and for which there is some record that the owner intended to retain title to the property. Loan does not include transfers between museums, between archives repositories, or between museums and archives repositories unless the transferring institution specifically provides in writing that the transfer is a loan under this article.

(3) 'Museum' means a nonprofit organization or a public agency that is operated primarily for the purpose of collecting, cataloging, preserving, or exhibiting property of educational, scientific, historic, cultural, or aesthetic interest and that is open to the public on a regular basis. Museum does not include a public library.

(4) 'Property' means personal property.

10-1-529.3.

(a) Each museum or archives repository shall keep accurate records of all property on loan to the museum or archives repository, including the name and address of the owner, if known, and the beginning and ending date of the loan period. At the time that a person makes a loan to a museum or archives repository, the museum or archives repository shall give the owner of the property a copy of this article. If a museum or archives repository is notified of a change in the ownership of any property loaned to a museum or archives repository, the museum or archives repository shall inform the new owner of the provisions of the loan agreement and shall send the new owner a copy of this article. Not less than 90 days before a museum or archives repository changes its address or dissolves, the museum or archives repository shall notify all owners of that change of address or dissolution. If a museum or archives repository becomes the owner of property under Code Section 10-1-529.4 or 10-1-529.5, the museum or archives repository shall maintain any records that the museum or archives repository has regarding the property for not less than two years after the date on which the museum or archives repository becomes the owner of the property.

(b) The owner of property loaned to a museum or archives repository shall provide the museum or archives repository with written notice of any change of the owner's address, of the owner's designated agent, of the designated agent's address, and of the

name and address of the new owner if there is a change in the ownership of the property loaned to the museum or archives repository.

10-1-529.4.

(a) Property loaned to a museum or archives repository whose loan has an expiration date is abandoned when there has not been written contact between the owner and the museum or archives repository for at least seven years after that expiration date. If the loan has no expiration date, the property is abandoned when there has not been written contact between the owner and the museum or archives repository or their successors or assigns for at least seven years after the museum or archives repository took possession of the property.

(b)(1) If a museum or archives repository wishes to acquire title to abandoned property, the museum or archives repository shall, not less than 60 days after property is abandoned under subsection (a) of this Code section, send a notice by certified mail or statutory overnight delivery to the owner's last known address. A copy of such notice shall be simultaneously sent to any known lienholder at such lienholder's last known address. The notice shall contain all of the following:

(A) A statement that the loan is terminated and that the property is abandoned;

(B) A description of the property;

(C) A statement that the museum or archives repository will become the owner of the property if the present owner does not submit a written claim to the property to the museum or archives repository within 60 days after receipt of the notice; and

(D) A statement that the museum or archives repository will make arrangements with the owner to return the property to the owner or dispose of the property as the owner requests if the owner submits a written claim to the property to the museum or archives repository within 60 days after receipt of the notice.

(2) The notice provided for in subsection (a) of this Code section shall be substantially in the following form:

NOTICE OF ABANDONMENT OF PROPERTY

To: _____ (name of owner)

_____ (address of owner)

Please be advised that the loan agreement is terminated for the following property (describe the property in sufficient detail to identify the property):

The above-described property that you loaned to _____ (name and address of museum or archives repository) will be considered abandoned by you and will become the property of _____ (name of museum or archives repository) if you fail to submit to the museum or archives repository a written claim to the property within 60 days after receipt of this notice. If you do submit a written claim to the property within 60 days after receipt of this notice, _____ (name of

museum or archives repository) will arrange to return the property to you or dispose of the property as you request. The cost of returning the property to you or disposing of the property is your responsibility unless you have made other arrangements with the museum or archives repository. _____ (name of person to contact at museum or archives repository and address of museum or archives repository).

(c) If the notice sent by the museum or archives repository under subsection (b) of this Code section is returned to the museum or archives repository undelivered, the museum or archives repository shall give notice of the abandoned property by publication once a week for two consecutive weeks in the official county organs of the county in which the museum or archives repository is situated and the county of the owner's last known address, and on the organization's website, if applicable, containing the following:

- (1) The name and last known address of the present owner;
- (2) A description of the property;
- (3) A statement that the property is abandoned and that the museum or archives repository will become the owner of the property if no person can prove ownership of the property;
- (4) A statement that a person claiming ownership of the property shall notify the museum or archives repository in writing of that claim within 60 days after publication of the last legal notice; and
- (5) The name and mailing address of the person who may be contacted at the museum or archives repository if a person wants to submit a written claim to the property.

(d) If the museum or archives repository receives a timely written claim for the property from the owner or the owner's agent in response to the notice provided under subsection (b) or (c) of this Code section the museum or archives repository shall return the property to the owner or dispose of the property as the owner requests. The owner shall advise the museum or archives repository in writing as to how the property shall be disposed of or returned to the owner. Costs of returning the property or disposing of the property shall be the responsibility of the owner unless the owner and the museum or archives repository have made other arrangements.

(e) If the museum or archives repository receives a timely written claim for the property from a person other than the person who loaned the property to the museum or archives repository in response to the notice provided under subsection (b) or (c) of this Code section, the museum or archives repository shall, within 60 days after receipt of the written claim, determine if the claim is valid. A claimant shall submit proof of ownership with the claim. If more than one person submits a timely written claim, the museum or archives repository may delay its determination of ownership until the competing claims are resolved by agreement or legal action. If the museum or archives repository determines that the claim is valid or if the competing claims are resolved by agreement or judicial action, the museum or archives repository shall return the property to the claimant submitting the valid claim or dispose of the property as the valid claimant requests. Costs of returning the property or disposing of the property shall be the responsibility of the valid claimant.

(f) If the museum or archives repository does not receive a timely written claim to the property or if the museum or archives repository determines that no valid timely claim to the property was submitted, the museum or archives repository becomes the owner of the property. The museum or archives repository becomes the owner of the property on the day after the period for submitting a written claim ends or on the day after the museum or archives repository determines that no valid timely written claim was submitted. The museum or archives repository owns the property free from all claims.

10-1-529.5.

(a) Property in the possession of a museum or archives repository which the museum or archives repository has reason to believe may be on loan and for which the museum or archives repository does not know the owner or have any reasonable means of determining the owner becomes the property of the museum or archives repository if no person has claimed the property within seven years after the museum or archives repository or a predecessor or assignor of such museum or archives repository took possession of the property. The museum or archives repository becomes the owner of the property on the day after the seven-year period ends and after following the notification process outlined in subsection (b) of this Code section free from all claims.

(b) The museum or archives repository that wishes to acquire title to undocumented property described in subsection (a) of this Code section shall provide public notice in the manner described in Code Section 10-1-529.4.

(c) On or after July 1, 2006, property that:

(1) Is found in or on property controlled by the museum;

(2) Is from an unknown source; and

(3) Might reasonably be assumed to have been intended as a gift to the museum

is conclusively presumed to be a gift to the museum if ownership of the property is not claimed by a person within 90 days of its discovery.

10-1-529.6.

(a) Unless there is a written loan agreement to the contrary, a museum or archives repository may apply conservation measures to property on loan to the museum or archives repository without the lender's permission or formal notice if action is required to protect the property on loan or other property in the custody of the museum or archives repository or the property on loan is a hazard to the health and safety of the public or the museum or archives repository staff, and either:

(1) The museum or archives repository is unable to reach the lender at the lender's last known address within three days before the time the museum or archives repository determines action is necessary; or

(2) The lender does not respond or will not agree to the protective measures the museum or archives repository recommends and does not terminate the loan and retrieve the property within three days.

(b) If a museum or archives repository applies conservation measures to property under this article, or with the agreement of the lender, unless the agreement provides

otherwise, the museum or archives repository acquires a lien on the property in the amount of the costs incurred by the museum or archives repository.

(c) The museum or archives repository is not liable for injury to or loss of the property if the museum or archives repository:

- (1) Had a reasonable belief at the time the action was taken that the action was necessary to protect the property on loan or other property in the custody of the museum or archives repository or that the property on loan was a hazard to the health and safety of the public or the museum or archives repository staff; and
- (2) Exercised reasonable care in the choice and application of conservation measures.

10-1-529.7.

This article shall not apply to objects held by museums pursuant to Part 1 of Article 7 of Chapter 12 of Title 44, relating to American Indian human remains and burial objects held by museums."

SECTION 3.

Article 5 of Chapter 12 of Title 44 of the Official Code of Georgia Annotated, relating to disposition of unclaimed property, is amended by striking Code Section 44-12-193, relating to when property is held, issued, or is owing in the ordinary course of business of holder's business presumed abandoned, and inserting in lieu thereof the following:

"44-12-193.

Except as provided in Article 17B of Title 10, all ~~All~~ tangible and intangible property, including any income or increment thereon, less any lawful charges, that is held, issued, or owing in the ordinary course of the holder's business and has remained unclaimed by the owner for more than five years after it became payable or distributable is presumed abandoned, except as otherwise provided by this article. Property is payable or distributable for the purpose of this article notwithstanding the owner's failure to make demand or to present any instrument or document required to receive payment."

SECTION 4.

Said article is further amended by striking subsection (a) of Code Section 44-12-214, relating to report and remittance of persons holding property presumed abandoned under that article, and inserting in lieu thereof the following:

"(a) Except as provided in Article 17B of Title 10, every ~~Every~~ person holding funds or other property, tangible or intangible, presumed abandoned under this article shall report and remit to the commissioner with respect to the property as provided in this Code section."

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

N Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Millar	Y Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Benfield	N Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	N Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	N Mosby	Y Smith, L
E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	N Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Y Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	N Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, by substitute, the ayes were 154, nays 6.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

SB 210. By Senators Stoner of the 6th, Hill of the 32nd, Shafer of the 48th and Butler of the 55th:

A BILL to be entitled an Act to amend Chapter 2 of Title 46 of the Official Code of Georgia Annotated, relating to the Public Service Commission, so as

to provide for superior court filing of certain commission orders; to provide for venue, judgment, and effect of judgment; to repeal conflicting laws, and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Millar	Y Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Y Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Y Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 160, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

SB 441. By Senators Bulloch of the 11th, Kemp of the 46th, Cagle of the 49th, Stephens of the 27th and Tolleson of the 20th:

A BILL to be entitled an Act to amend Article 7 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to milk and milk products, so as to change certain provisions relating to standards and requirements generally; to repeal conflicting laws; and for other purposes.

The report of the Committee, which was favorable to the passage of the Bill, was agreed to.

On the passage of the Bill, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Y Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Millar	Y Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Y Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Y Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Y Orrock	Y Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the passage of the Bill, the ayes were 163, nays 0.

The Bill, having received the requisite constitutional majority, was passed.

The following message was received from the Senate through Mr. Ewing, the Secretary thereof:

Mr. Speaker:

The Senate has passed as amended, by the requisite constitutional majority, the following bill of the House:

HB 595. By Representatives Millar of the 79th, Jacobs of the 80th, Drenner of the 86th, Chambers of the 81st, Henson of the 87th and others:

A BILL to be entitled an Act to provide for a homestead exemption from certain DeKalb County ad valorem taxes for county purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Under the general order of business, established by the Committee on Rules, the following Bill of the Senate was taken up for consideration and read the third time:

SB 25. By Senators Seabaugh of the 28th, Harp of the 29th, Schaefer of the 50th, Hill of the 32nd, Pearson of the 51st and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 19 of the Official Code of Georgia Annotated, relating to divorce, so as to require certain divorcing parents to participate in education classes that focus on the effect of divorce and separation on children; to provide for legislative findings; to provide for the types of persons who can provide the education; to provide for exceptions to the education classes; to change the time limit for granting a divorce on the grounds that the marriage is irretrievably broken; to provide for different time frames for granting divorce based on certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Representative Jamieson of the 28th moved that SB 25 be recommitted to the Committee on Rules.

On the motion the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	N Crawford	N Hill, C.A	N Martin	Y Sailor
N Amerson	Y Cummings	Y Holmes	N Maxwell	E Scheid
E Anderson	N Davis	N Holt	Y May	N Scott, A
Y Ashe	N Day	N Horne	Y McCall	N Scott, M
Y Barnard	N Dean	N Houston	McClinton	N Setzler
Barnes	N Dickson	Y Howard, E	N Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	N Sheldon
E Beasley-Teague	N Dollar	Y Hugley	N Mills	Y Sims, C
Y Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
N Benton	E Dukes	Y Jacobs	Y Morgan	E Sinkfield
Y Black	N Ehrhart	E James	N Morris	Smith, B
Bordeaux	N England	Y Jamieson	Y Mosby	N Smith, L
E Borders	Y Epps	Y Jenkins	N Mosley	Y Smith, P
Y Bridges	N Everson	N Jennings	Y Mumford	N Smith, R
N Brooks	N Fleming	Y Johnson	N Murphy, J	N Smith, T
N Brown	Y Floyd, H	N Jones, J	Y Murphy, Q	N Smith, V
N Bruce	Y Floyd, J	N Jones, S	N Neal	Y Smyre
Y Bryant	Y Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	N Forster	N Keen	O'Neal	Stephens
Y Buckner, G	N Franklin	N Keown	Y Orrock	Y Stephenson
N Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
N Burmeister	Y Gardner	N Knight	Y Parrish	N Teilhet
Y Burns	Y Geisinger	N Knox	N Parsons	Y Thomas, A.M
N Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	N Tumlin
N Carter	N Graves, T	N Lane, R	N Ralston	N Walker
Y Casas	Y Greene	N Lewis	Y Randall	Y Warren
N Chambers	Y Hanner	N Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	N Wilkinson
N Cheokas	Y Hatfield	N Loudermilk	N Reece, S	N Willard
N Coan	N Heard, J	Y Lucas	N Reese	Y Williams, A
N Cole	Y Heard, K	N Lunsford	N Rice	Y Williams, E
Y Coleman, B	Y Heckstall	N Maddox	Y Roberts	N Williams, R
Y Coleman, T	N Hembree	N Mangham	N Rogers	Y Wix
N Cooper	Henson	Y Manning	Y Royal	N Yates
Y Cox	N Hill, C	Y Marin	N Rynders	Richardson, Speaker

On the motion, the ayes were 85, nays 78.

The motion prevailed.

Representative Lunsford of the 110th moved that the House reconsider its action in recommitting SB 25 to the Committee on Rules:

On the motion, the roll call was ordered and the vote was as follows:

N Abdul-Salaam	N Crawford	N Hill, C.A	Y Martin	N Sailor
Y Amerson	N Cummings	N Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	N May	Y Scott, A

N Ashe	Y Day	Y Horne	N McCall	Y Scott, M
N Barnard	N Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	N Howard, E	Y Meadows	N Shaw
N Bearden	N Dodson	N Hudson	Y Millar	Y Sheldon
E Beasley-Teague	Y Dollar	N Hugley	Y Mills	Y Sims, C
N Benfield	N Drenner	E Jackson	N Mitchell	N Sims, F
Y Benton	E Dukes	N Jacobs	N Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
N Bordeaux	Y England	N Jamieson	N Mosby	Y Smith, L
E Borders	N Epps	N Jenkins	Y Mosley	N Smith, P
N Bridges	Y Everson	Y Jennings	N Mumford	Y Smith, R
Y Brooks	Y Fleming	N Johnson	Y Murphy, J	Y Smith, T
Y Brown	N Floyd, H	Y Jones, J	N Murphy, Q	Y Smith, V
N Bruce	N Floyd, J	Y Jones, S	Y Neal	N Smyre
N Bryant	N Fludd	N Jordan	N Oliver	N Stanley-Turner
N Buckner, D	Y Forster	Y Keen	O'Neal	Stephens
N Buckner, G	Y Franklin	Y Keown	N Orrock	N Stephenson
Y Burkhalter	N Freeman	N Kidd	N Parham	N Talton
Y Burmeister	N Gardner	Y Knight	N Parrish	Y Teilhet
N Burns	N Geisinger	Y Knox	Y Parsons	N Thomas, A.M
Y Butler	Y Golick	N Lakly	N Porter	N Thomas, B
N Byrd	E Graves, D	N Lane, B	N Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
N Casas	N Greene	Y Lewis	N Randall	N Warren
Y Chambers	N Hanner	Y Lindsey	N Ray	N Watson
N Channell	N Harbin	Y Lord	N Reece, B	Y Wilkinson
Y Cheokas	N Hatfield	Y Loudermilk	Y Reece, S	Y Willard
Y Coan	Y Heard, J	N Lucas	Y Reese	N Williams, A
Y Cole	N Heard, K	Y Lunsford	Y Rice	N Williams, E
N Coleman, B	N Heckstall	Y Maddox	Y Roberts	Y Williams, R
N Coleman, T	Y Hembree	Y Mangham	Y Rogers	Y Wix
Y Cooper	N Henson	N Manning	N Royal	Y Yates
N Cox	N Hill, C	N Marin	Y Rynders	Richardson, Speaker

On the motion, the ayes were 81, nays 85.

The motion was lost.

The following Bills of the House were taken up for the purpose of considering the Senate substitutes or amendments thereto:

HB 912. By Representative Fleming of the 117th:

A BILL to be entitled an Act to amend Code Section 9-11-34 of the Official Code of Georgia Annotated, relating to production of documents and things and entry upon land for inspection and other purposes, so as to change certain provisions relating to applicability to nonparties; to provide that silence may act as a waiver under certain circumstances; to change certain provisions relating to confidentiality; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

A BILL

To amend Code Section 9-11-34 and Chapter 33 of Title 31 of the Official Code of Georgia Annotated, relating to production of documents and things and entry upon land for inspection and other purposes and health records, so as to provide for production of certain documents including health records; to change certain provisions relating to applicability to nonparties; to provide that when a nonparty is not served with an objection and the nonparty produces records, the nonparty shall be immune from regulatory, civil, or criminal liability for disclosing confidential information; to change certain provisions relating to confidentiality; to change certain provisions relating to furnishing a copy of records to patient, provider, or other authorized person; to provide for compliance with the federal Health Insurance Portability and Accountability Act of 1996; to provide for a time period in which records shall be produced in response to a valid request; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 9-11-34 of the Official Code of Georgia Annotated, relating to production of documents and things and entry upon land for inspection and other purposes, is amended by striking subsections (c) and (d) and inserting in lieu thereof the following:

"(c) *Applicability to nonparties.*

(1) This Code section shall also be applicable with respect to discovery against persons, firms, or corporations who are not parties, in which event a copy of the request shall be served upon all parties of record; or, upon notice, the party desiring such discovery may proceed by taking the deposition of the person, firm, or corporation on oral examination or upon written questions under Code Section 9-11-30 or 9-11-31. The nonparty or any party may file an objection as provided in subsection (b) of this Code section. If the party desiring such discovery moves for an order under subsection (a) of Code Section 9-11-37 to compel discovery, he or she shall make a showing of good cause to support his or her motion. The party making a request under this Code section shall, upon request from any other party to the action, make all reasonable efforts to cause all information produced in response to the nonparty request to be made available to all parties. A reasonable document copying charge may be required.

(2) This Code section shall also be applicable with respect to discovery against a nonparty who is a practitioner of the healing arts or a hospital or health care facility, including those operated by an agency or bureau of the state or other governmental unit. Where such a request is directed to such a nonparty, a copy of the request shall be served upon the person whose records are sought by certified mail or statutory

overnight delivery, return receipt requested, or, if known, that person's counsel, and upon all other parties of record, and in compliance with Code Section 9-11-5; where such a request to such a nonparty seeks the records of a person who is not a party, a copy of the request shall be served upon all parties of record, the person whose records are sought, and, by certified mail or statutory overnight delivery, return receipt requested, or, if known, that person's counsel by certified mail or statutory overnight delivery, return receipt requested, and upon all parties of record in compliance with Code Section 9-11-5; or, upon notice, the party desiring such discovery may proceed by taking the deposition of the person, firm, or corporation on oral examination or upon written questions under Code Section 9-11-30 or 9-11-31. The nonparty, any party, or the person whose records are sought may file an objection with the court in which the action is pending within 20 days of service of the request and shall serve a copy of such objection on the nonparty to whom the request is directed, who shall not furnish the requested materials until further order of the court, and on all other parties to the action. Upon the filing of such objection, the party desiring such discovery may move for an order under subsection (a) of Code Section 9-11-37 to compel discovery and, if he or she shall make a showing of good cause to support his or her motion, discovery shall be allowed. If no objection is filed within ten 20 days of service of the request, the nonparty to whom the request is directed shall promptly comply therewith.

(3) For any discovery requested from a nonparty pursuant to paragraph (2) of this subsection or a subpoena requesting records from a nonparty pursuant to Code Section 9-11-45, when the nonparty to whom the discovery request is made is not served with an objection and the nonparty produces the requested records, the nonparty shall be immune from regulatory, civil, or criminal liability or damages notwithstanding that the produced documents contained confidential or privileged information.

(d) Confidentiality. The provisions of this Code section shall not be deemed to repeal the confidentiality provided by Code Sections 37-3-166 concerning mental illness treatment records, 37-4-125 concerning mental retardation treatment records, and 37-7-166 concerning alcohol and drug treatment records, 24-9-40.1 concerning the confidential nature of AIDS information, and 24-9-47 concerning the disclosure of AIDS information; provided, however, that a person's failure to object to the production of documents as set forth in paragraph (2) of subsection (c) of this Code section shall waive any right of recovery for damages as to the nonparty for disclosure of the requested documents."

SECTION 2.

Chapter 33 of Title 31 of the Official Code of Georgia Annotated, relating to health records, is amended by striking subsections (a) and (b) of Code Section 31-33-2, relating to furnishing a copy of records to patient, provider, or other authorized person, and inserting in its place the following:

"(a)(1)(A) A provider having custody and control of any evaluation, diagnosis, prognosis, laboratory report, or biopsy slide in a patient's record shall retain such item for a period of not less than ten years from the date such item was created.

(B) The requirements of subparagraph (A) of this paragraph shall not apply to:

- (i) An individual provider who has retired from or sold his or her professional practice if such provider has notified the patient of such retirement or sale and offered to provide such items in the patient's record or copies thereof to another provider of the patient's choice and, if the patient so requests, to the patient; or
- (ii) A hospital which is an institution as defined in subparagraph (B) of paragraph (1) of Code Section 31-7-1, which shall retain patient records in accordance with rules and regulations for hospitals as issued by the department pursuant to Code Section 31-7-2.

(2) Upon written request from the patient or a person authorized to have access to the patient's record under a health care power of attorney for such patient, the provider having custody and control of the patient's record shall furnish a complete and current copy of that record, in accordance with the provisions of this Code section. If the patient is deceased, such request may be made by ~~a person authorized immediately prior to the decedent's death to have access to the patient's record under a health care power of attorney for such patient; the executor, temporary executor, administrator, or temporary administrator for the decedent's estate; or any survivor, as defined by Code Sections 51-4-2, 51-4-4, and 51-4-5.~~ the following persons:

(A) The executor, administrator, or temporary administrator for the decedent's estate if such person has been appointed;

(B) If an executor, administrator, or temporary administrator for the decedent's estate has not been appointed, by the surviving spouse;

(C) If there is no surviving spouse, by any surviving child;

(D) If there is no surviving child, any parent.

(b) Any record requested under subsection (a) of this Code section shall, within 30 days of the receipt of a request for records ~~be furnished within a reasonable period of time~~ to the patient, any other provider designated by the patient, any person authorized by paragraph (2) of subsection (a) of this Code section to request a patient's or deceased patient's medical records, or any other person designated by the patient. Such record request shall be accompanied by:

(1) An authorization in compliance with the federal Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. Section 1320d-2, et seq., and regulations implementing such act; and

(2) A signed written authorization as specified in subsection (d) of this Code Section."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Representative Fleming of the 117th moved that the House disagree to the Senate substitute to HB 912.

The motion prevailed.

HB 595. By Representatives Millar of the 79th, Jacobs of the 80th, Drenner of the 86th, Chambers of the 81st, Henson of the 87th and others:

A BILL to be entitled an Act to provide for a homestead exemption from certain DeKalb County ad valorem taxes for county purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Senate amendment was read:

The Senate moves to *amend HB 595 by striking all matter on lines 20 through 22 of page 2 and inserting in place thereof the following:*

(f) The exemption granted by subsection (b) of this section shall apply only to taxable years 2007 through 2011. Unless renewed or extended by subsequent Act of the General Assembly, the exemption granted by subsection (b) of this section shall not apply to taxable year 2012 or any subsequent taxable year.

Representative Millar of the 79th moved that the House agree to the Senate amendment to HB 595.

On the motion, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Benfield	Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Y Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Mosby	Y Smith, L
E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R

Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Watson
Y Channell	Y Harbin	Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Mangham	Y Rogers	Y Wix
Y Cooper	Henson	Y Manning	Y Royal	Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the motion, the ayes were 149, nays 0.

The motion prevailed.

HB 251. By Representatives Bridges of the 10th, Cummings of the 16th, Coleman of the 97th and Forster of the 3rd:

A BILL to be entitled an Act to amend Article 5 of Chapter 11 of Title 47 of the Official Code of Georgia Annotated, relating to retirement benefits and refund of dues under the Judges of the Probate Courts Retirement Fund of Georgia, so as to provide that a member who is unmarried at the time of retirement may elect a retirement option of an actuarially reduced amount with payment made to a designated surviving beneficiary; to provide that a member who is married at the time of retirement may make such an election with the consent of his or her spouse; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

A BILL

To amend Article 5 of Chapter 11 of Title 47 of the Official Code of Georgia Annotated, relating to retirement benefits and refund of dues under the Judges of the Probate Courts Retirement Fund of Georgia, so as to provide that a member who is unmarried at the time

of retirement may elect a retirement option of an actuarially reduced amount with payment made to a designated surviving beneficiary; to provide that a member who is married at the time of retirement may make such an election with the consent of his or her spouse; to provide restrictions; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 5 of Chapter 11 of Title 47 of the Official Code of Georgia Annotated, relating to retirement benefits and refund of dues under the Judges of the Probate Courts Retirement Fund of Georgia, is amended by striking in its entirety subsection (b) of Code Section 47-11-71, relating to the amount of retirement benefits, optional retirement benefits, and the manner in which persons not eligible for maximum benefits at retirement may become eligible, and inserting in lieu thereof the following:

"(b)(1) In lieu of receiving the retirement benefits provided for in subsection (a) of this Code section, a judge of the probate court or employee of the board may elect in writing, on a form to be provided by the board at the time the judge or employee becomes eligible to receive retirement benefits, to receive a monthly retirement benefit payable up to the date of the death of the designated survivor, which benefit shall be based on the judge's or employee's age at retirement and the age of the judge's or employee's ~~spouse~~ designated survivor at that time and shall be computed so as to be actuarially equivalent to the total retirement payment which would have been paid to the judge or employee under subsection (a) of this Code section. A member who is unmarried at the time of such election may designate a survivor at the time of making such election. If a member is married at the time of such election, his or her spouse shall be the designated survivor unless another person is so designated with the written agreement of the spouse. In any event, the designated survivor shall be a person with whom the member has a familial relationship through blood, marriage, or adoption. Such actuarial equivalent shall be computed on the Group Annuity Table for 1951 using 5 1/2 percent interest. The spouse designated at the time of the judge's or employee's retirement shall be the only spouse who may draw these benefits.

(2) If a member elects the option provided in paragraph (1) of this subsection, then, after the approval of the application for retirement, the following provisions apply:

(A) If the member's ~~spouse~~ designated survivor shall predecease the member, the member may, in writing on forms prescribed by the board and subject to approval by the board, revoke such option and thereafter receive during the member's lifetime a monthly retirement benefit commencing on the date on which the board approves such revocation, but not for any period prior to such approval, equal to the maximum monthly benefit which would have been payable to him had such option not been exercised;

(B) If there is entered a final judgment of complete divorce between the member and the member's spouse who is the designated survivor, the member may, in

writing on forms prescribed by the board and subject to approval by the board, revoke such option and thereafter receive during the member's lifetime a monthly retirement benefit commencing on the date on which the board approves such revocation, but not for any period prior to such approval, equal to the maximum monthly benefit which would have been payable had such option not been exercised; and

(C) If, following the death of the member's spouse or the entry of a final judgment of divorce between the member and the member's spouse who is the designated survivor, the member remarries, the member may, in writing on forms prescribed by the board and subject to approval by the board, elect such option with respect to the member's new spouse. The joint and survivor benefit shall be determined as of the date of the election. No such election shall be made until the expiration of one year after the date of remarriage or until a child of the remarried couple is born, whichever is earlier."

SECTION 2.

This Act shall become effective on July 1, 2006, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2006, as required by subsection (a) of Code Section 47-20-50.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Representative Bridges of the 10th moved that the House agree to the Senate substitute, to HB 251.

On the motion, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	N Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Y Millar	Y Sheldon
E Beasley-Teague	Dollar	Y Hugley	Y Mills	Y Sims, C
Benfield	Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Y Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Y Jamieson	Y Mosby	Y Smith, L
E Borders	Y Epps	Y Jenkins	Y Mosley	N Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	N Floyd, H	Jones, J	N Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre

Y Bryant	Fludd	Y Jordan	N Oliver	Y Stanley-Turner
N Buckner, D	Y Forster	Y Keen	Y O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Y Stephenson
Y Burkhalter	Y Freeman	N Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	N Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Watson
Y Channell	Y Harbin	Lord	Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	N Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
N Coleman, T	Y Hembree	Y Mangham	Y Rogers	N Wix
Y Cooper	Henson	Y Manning	Y Royal	Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the motion, the ayes were 143, nays 11.

The motion prevailed.

HB 81. By Representatives Day of the 163rd, Stephens of the 164th, Bryant of the 160th, Jackson of the 161st and Scott of the 2nd:

A BILL to be entitled an Act to amend Code Section 48-5-40 of the Official Code of Georgia Annotated, relating to definitions regarding ad valorem tax exemptions, so as to provide that, with respect to all homestead exemptions, the unremarried surviving spouse of a deceased spouse who has been granted a homestead exemption shall continue to receive that exemption so long as that unremarried surviving spouse continues to occupy the home as a residence and homestead; to provide for a referendum, applicability, and effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

The following Senate amendments were read:

Senate Amendment #1

The Senate moves to *amend HB 81 by striking "unremarried" from line 20 of page 1.*

By striking "unremarried" from line 15 of page 2.

Senate Amendment #2

The Senate moves to *amend HB 81 by inserting* "to amend Code Section 48-5-40 of the Official Code of Georgia Annotated, relating to definitions regarding property tax exemptions, so as to redefine the term 'applicant';" *between* "exemptions;" *and* "to" *on line 4 of page 1.*

By inserting between Sections 1 and 2 the following:

SECTION 1A.

Code Section 48-5-40 of the Official Code of Georgia Annotated, relating to definitions regarding property tax exemptions, is amended by striking paragraph (1) and inserting in its place a new paragraph (1) to read as follows:

"(1) 'Applicant' means a person who is:

(A)(i) A married individual living with his spouse;

~~(B)(ii)~~ An individual who is unmarried but who permanently maintains a home for the benefit of one or more other individuals who are related to such individual or dependent wholly or partially upon such individual for support;

~~(C)(iii)~~ An individual who is widowed having one or more children and maintaining a home occupied by himself and the child or children;

~~(D)(iv)~~ A divorced individual living in a bona fide state of separation and having legal custody of one or more children, when the divorced individual owns and maintains a home for the child or children; or

~~(E)(v)~~ An individual who is unmarried or is widowed and who permanently maintains a home owned and occupied by himself; and

(B) Who is a resident of this state as defined in paragraph (15) of Code Section 40-5-1, as amended."

Representative Day of the 163rd moved that the House disagree to the Senate amendments to HB 81.

The motion prevailed.

HB 984. By Representatives Coan of the 101st, Lunsford of the 110th, Ehrhart of the 36th, Ralston of the 7th, Coleman of the 97th and others:

A BILL to be entitled an Act to amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so as to provide that a student whose parent is in military service is granted excused absences from school to visit with his or her parent prior to deployment or while on leave; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

A BILL

To amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so as to provide that a student whose parent or legal guardian is in military service is granted excused absences from school to visit with his or her parent or legal guardian prior to deployment or while on leave; to provide for construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, is amended by inserting after Code Section 20-2-692, relating to General Assembly pages granted excused absences, a new Code Section 20-2-692.1 to read as follows:

"20-2-692.1.

A student whose parent or legal guardian is in military service in the armed forces of the United States or the National Guard, and such parent or legal guardian has been called to duty for or is on leave from overseas deployment to a combat zone or combat support posting, shall be granted excused absences, up to a maximum of five school days per school year, for the day or days missed from school to visit with his or her parent or legal guardian prior to such parent's or legal guardian's deployment or during such parent's or legal guardian's leave. Nothing in this Code section shall be construed to require a local school system to revise any policies relating to maximum number of excused and unexcused absences for any purposes."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Representative Coan of the 101st moved that the House agree to the Senate substitute to HB 984.

On the motion, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Crawford	Y Hill, C.A	Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Y Day	Y Horne	Y McCall	Y Scott, M
Y Barnard	Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw

Y Bearden	Y Dodson	Y Hudson	Millar	Y Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Morgan	E Sinkfield
Y Black	Y Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Jamieson	Y Mosby	Y Smith, L
E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Jones, J	Murphy, Q	Y Smith, V
Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Y Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	Y O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Y Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton
Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Lindsey	Y Ray	Watson
Y Channell	Y Harbin	Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Y Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Y Mangham	Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Y Marin	Y Rynders	Richardson, Speaker

On the motion, the ayes were 149, nays 0.

The motion prevailed.

HB 173. By Representative Lunsford of the 110th:

A BILL to be entitled an Act to amend Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to property exempt from ad valorem tax, so as to expand the ad valorem exemption for veterans organizations to include certain additional nonprofit veterans organizations; to provide for a referendum, applicability, and effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

The following Senate substitute was read:

A BILL

To amend Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to

property exempt from ad valorem tax, so as to expand the ad valorem exemption for veterans organizations to include certain additional nonprofit veterans organizations which refurbish and operate historic military aircraft for educational purposes; to provide for a referendum, applicability, and effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-5-41 of the Official Code of Georgia Annotated, relating to property exempt from ad valorem tax, is amended by striking paragraph (14) of subsection (a) and inserting in its place a new paragraph (14) to read as follows:

"(14)(A) Property which is owned by and used exclusively as the headquarters, post home, or similar facility of a veterans organization. As used in this paragraph, the term 'veterans organization' means any organization or association chartered by the Congress of the United States which is exempt from federal income taxes but only if such organization is a post or organization of past or present members of the armed forces of the United States organized in the State of Georgia with at least 75 percent of the members of which are past or present members of the armed forces of the United States, and where no part of the net earnings of which inures to the benefit of any private shareholder or individual; or

(B) Property which is owned by and used exclusively by any veterans organization which is qualified as a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and which has been organized for the purpose of refurbishing and operating historic military aircraft acquired from the federal government and other sources, making such aircraft airworthy, and putting such aircraft on display to the public for educational purposes; and"

SECTION 2.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the Secretary of State shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the State of Georgia for approval or rejection. The Secretary of State shall conduct that election on the date of the November, 2006, state-wide general election. The Secretary of State shall issue the call and conduct that special election as provided by general law. The Secretary of State shall cause the date and purpose of the special election to be published in the official organ of each county in the state once a week for two weeks immediately preceding the date of the referendum. The ballot shall have written or printed thereon the following:

- "() YES Shall the Act be approved which expands the ad valorem tax exemption for veterans organizations to include certain additional nonprofit veterans organizations which refurbish and operate historic military aircraft for educational purposes?"
- () NO

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, then Section 1 of this Act shall become effective on January 1, 2007, and shall apply to all taxable years beginning on or after that date. If Section 1 of this Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date.

SECTION 3.

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Representative Lunsford of the 110th moved that the House agree to the Senate substitute to HB 173.

The motion was lost.

The House has disagreed.

HB 1032. By Representatives Lunsford of the 110th, Ralston of the 7th, Forster of the 3rd, England of the 108th, Ehrhart of the 36th and others:

A BILL to be entitled an Act to amend Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to license to carry a pistol or revolver and temporary renewal permit, so as to provide for certain restrictions on the issuance of such permit; to provide for a background check for permit renewals; to provide for a check of United States Immigration and Customs Enforcement records for noncitizen applicants; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Senate amendment was read:

The Senate moves to amend HB 1032 by adding between lines 15 & 16 of page 3

"(6) Any person not lawfully present in the United States".

Representative Lunsford of the 110th moved that the House agree to the Senate amendment to HB 1032.

The motion was lost.

The House has disagreed.

HB 543. By Representatives Casas of the 103rd, Hembree of the 67th, Maxwell of the 17th, Chambers of the 81st and Jones of the 46th:

A BILL to be entitled an Act to amend Code Section 20-2-850 of the Official Code of Georgia Annotated, relating to sick leave for teachers and other public school personnel, so as to provide for the donation of sick leave from an employee of a local board of education to his or her spouse who is also an employee of the local board of education for certain purposes; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate amendment was read:

The Senate moves to *amend the substitute (LC 33 0841S) to HB 543 by striking lines 10 and 11 on page 2 and inserting in lieu thereof:*

(4) A local board of education that establishes a sick leave bank pursuant to paragraph (2) of this subsection shall allow an employee of the local board to donate up to ten sick

Representative Casas of the 103rd moved that the House agree to the Senate amendment to HB 543.

On the motion, the roll call was ordered and the vote was as follows:

Y Abdul-Salaam	Y Crawford	Y Hill, C.A	Y Martin	Y Sailor
Y Amerson	Y Cummings	Y Holmes	Y Maxwell	E Scheid
E Anderson	Y Davis	Y Holt	Y May	Y Scott, A
Y Ashe	Day	Y Horne	Y McCall	E Scott, M
Y Barnard	Dean	Y Houston	McClinton	Y Setzler
Barnes	Y Dickson	Y Howard, E	Y Meadows	Y Shaw
Y Bearden	Y Dodson	Y Hudson	Millar	Sheldon
E Beasley-Teague	Y Dollar	Y Hugley	Y Mills	Y Sims, C
Benfield	Y Drenner	E Jackson	Y Mitchell	Y Sims, F
Y Benton	E Dukes	Y Jacobs	Y Morgan	E Sinkfield
Y Black	Ehrhart	E James	Y Morris	Y Smith, B
Y Bordeaux	Y England	Jamieson	Y Mosby	Y Smith, L
E Borders	Y Epps	Y Jenkins	Y Mosley	Y Smith, P
Y Bridges	Y Everson	Y Jennings	Y Mumford	Y Smith, R
Y Brooks	Y Fleming	Y Johnson	Y Murphy, J	Y Smith, T
Y Brown	Y Floyd, H	Y Jones, J	Y Murphy, Q	Y Smith, V
Y Bruce	Y Floyd, J	Y Jones, S	Y Neal	Y Smyre
Y Bryant	Fludd	Jordan	Y Oliver	Y Stanley-Turner
Y Buckner, D	Y Forster	Y Keen	O'Neal	Stephens
Y Buckner, G	Y Franklin	Y Keown	Orrock	Y Stephenson
Y Burkhalter	Y Freeman	Y Kidd	Y Parham	Y Talton

Y Burmeister	Y Gardner	Y Knight	Y Parrish	Y Teilhet
Y Burns	Y Geisinger	Y Knox	Y Parsons	Y Thomas, A.M
Y Butler	Y Golick	Y Lakly	Y Porter	Y Thomas, B
Y Byrd	E Graves, D	Y Lane, B	Y Powell	Y Tumlin
Y Carter	Y Graves, T	Y Lane, R	Y Ralston	Y Walker
Y Casas	Y Greene	Y Lewis	Y Randall	Y Warren
Y Chambers	Y Hanner	Y Lindsey	Y Ray	Y Watson
Y Channell	Y Harbin	Y Lord	Y Reece, B	Y Wilkinson
Y Cheokas	Y Hatfield	Y Loudermilk	Y Reece, S	Willard
Y Coan	Y Heard, J	Y Lucas	Y Reese	Y Williams, A
Y Cole	Y Heard, K	Lunsford	Y Rice	Y Williams, E
Y Coleman, B	Y Heckstall	Y Maddox	Y Roberts	Y Williams, R
Y Coleman, T	Y Hembree	Mangham	Y Rogers	Y Wix
Y Cooper	Y Henson	Y Manning	Y Royal	Y Yates
Y Cox	Y Hill, C	Marin	Y Rynders	Richardson, Speaker

On the motion, the ayes were 151, nays 0.

The motion prevailed.

Representative Sheldon of the 105th stated that she had been called from the floor of the House during the preceding roll call. She wished to be recorded as voting "aye" thereon.

Representative Rynders of the 152nd District, Chairman of the Committee on Intra-Governmental Coordination, submitted the following report:

Mr. Speaker:

Your Committee on Intra-Governmental Coordination has had under consideration the following Resolution of the House and has instructed me to report the same back to the House with the following recommendation:

HR 1820 Do Pass

Respectfully submitted,
/s/ Rynders of the 152nd
Chairman

The following Resolutions of the House were read and adopted:

HR 1892. By Representative Greene of the 149th:

A RESOLUTION commending Fire Chief Craig Tully and the Colquitt-Miller County Volunteer Fire Department; and for other purposes.

HR 1893. By Representative Richardson of the 19th:

A RESOLUTION commending the House temporary employees for the 2006 Regular Session; and for other purposes.

HR 1894. By Representative Richardson of the 19th:

A RESOLUTION commending the House Interns for the 2006 Regular Session; and for other purposes.

HR 1895. By Representatives McCall of the 30th and Fleming of the 117th:

A RESOLUTION honoring Millie Augustus Haynes Ashmore, outstanding citizen; and for other purposes.

HR 1896. By Representative Brooks of the 63rd:

A RESOLUTION commending Ms. Eloise Johnson Tarver Hudson; and for other purposes.

HR 1897. By Representative Heard of the 104th:

A RESOLUTION expressing regret at the passing of Tom M. Wages, Sr.; and for other purposes.

HR 1898. By Representative Loudermilk of the 14th:

A RESOLUTION recognizing the City of Adairsville Public Servants Appreciation Day; and for other purposes.

HR 1899. By Representatives England of the 108th and Benton of the 31st:

A RESOLUTION commending Melissa Gunter on her selection as the STAR student for Apalachee High School; and for other purposes.

HR 1900. By Representatives Horne of the 71st and Smith of the 70th:

A RESOLUTION express regret at the passing of Bill Miller; and for other purposes.

HR 1901. By Representative Walker of the 107th:

A RESOLUTION commending Mike Cavan; and for other purposes.

HR 1902. By Representative Sims of the 151st:

A RESOLUTION commending Lieutenant Colonel Twala Denise Mathis; and for other purposes.

HR 1903. By Representatives Mills of the 25th and Reese of the 98th:

A RESOLUTION commending Matt Pridemore on his athletic accomplishments; and for other purposes.

HR 1904. By Representative Rice of the 51st:

A RESOLUTION commending Zach Guerin on becoming an Eagle Scout; and for other purposes.

HR 1905. By Representative Williams of the 4th:

A RESOLUTION remembering and honoring Mr. Fred Kelley Harvey, Jr.; and for other purposes.

HR 1906. By Representatives Benton of the 31st and Kidd of the 115th:

A RESOLUTION remembering the achievements of Benjamin Thomas Epps; and for other purposes.

HR 1907. By Representatives Franklin of the 43rd, Cooper of the 41st and Dollar of the 45th:

A RESOLUTION commending Tritt Elementary School on being named a 2006 Georgia School of Excellence; and for other purposes.

HR 1908. By Representatives Dickson of the 6th and Meadows of the 5th:

A RESOLUTION recognizing and commending former Murray County Deputy Sheriff Chuck Butler for his courageous and unselfish act in giving the gift of life through the National Bone Marrow Transplant Program to a teenage girl; and for other purposes.

HR 1909. By Representative Jennings of the 82nd:

A RESOLUTION commending Evansdale Elementary School on being named a 2006 Georgia School of Excellence; and for other purposes.

HR 1910. By Representatives Benton of the 31st, McCall of the 30th and England of the 108th:

A RESOLUTION commending Todd Shultz; and for other purposes.

HR 1911. By Representative Jennings of the 82nd:

A RESOLUTION commending Midvale Elementary School on being named a 2006 Georgia School of Excellence; and for other purposes.

HR 1912. By Representative Jenkins of the 8th:

A RESOLUTION commending the Blairsville Scottish Festival and Highland Games; and for other purposes.

HR 1913. By Representatives Coleman of the 144th, Porter of the 143rd, Parrish of the 156th and Morris of the 155th:

A RESOLUTION remembering and honoring the life of Mr. Sherwin Glass; and for other purposes.

HR 1914. By Representatives Davis of the 109th, Lunsford of the 110th, and Yates of the 73rd:

A RESOLUTION commending James T. Henry, Sr.; and for other purposes.

HR 1915. By Representatives Davis of the 109th, Lunsford of the 110th, Hatfield of the 177th and Willard of the 49th:

A RESOLUTION commending Mark and Regina Meeks; and for other purposes.

HR 1916. By Representatives Byrd of the 20th, Hill of the 21st and Murphy of the 23rd:

A RESOLUTION recognizing and expressing appreciation to Dr. James Cross on the occasion of his 75th birthday; and for other purposes.

HR 1917. By Representatives McCall of the 30th and Coleman of the 144th:

A RESOLUTION recognizing and commending Bob and Mary Addison and their family for hosting the Wild Hog Supper; and for other purposes.

The Speaker announced the House in recess until 5:00 o'clock, P.M., at which time the House will stand adjourned, pursuant to the adjournment Resolution previously adopted by the House and Senate, until 10:00 o'clock, A.M., Wednesday, March 22, 2006.